

**HEALTH COMMITTEE meeting of August 2, 2000****Minutes**

A regular meeting of the Health Committee of the Suffolk County Legislature was held in the Media Room, First Floor of the H. Lee Dennison Building, Veterans Memorial Highway, Hauppauge, New York, on August 2, 2000, at 9:30 A.M.

**Members Present:**

Legislator Ginny Fields - Chairperson  
Legislator Brian Foley - Vice-Chair  
Legislator Michael Caracciolo  
Legislator Joseph Caracappa  
Legislator Andrew Crecca

**Also in Attendance:**

Legislator Cameron Alden - District #10  
Paul Sabatino - Counsel to the Legislature  
Mary Skiber - Aide to Legislator Fields  
Linda Burkhardt - Aide to Presiding Officer Tonna  
Marla Musnug - Aide to Presiding Officer Tonna  
Chris Reimann - Aide to Presiding Officer Tonna  
Gerard McCreight - Aide to Legislator Cooper  
Warren Greene - Aide to Legislator Alden  
Lisa Broughton - Legislative Aide/Town of Huntington  
Kim Brandeau - Legislative Budget Analyst/Budget Review Office  
Bonnie Godsman - County Executive's Office/IR  
Charles Bartha - Commissioner/Department of Public Works  
George Lessler - Chief Deputy Sheriff/Suffolk County Sheriff's Dept  
Dr. Clare Bradley - Commissioner/SC Department of Health Services  
Lou Cherry - Mental Health Association  
Jim Glatthaar - Sunrise Assisted Living  
Mike Parsels - Sunrise Assisted Living  
Lisa Tonarelli - Resident of Freeport  
Marie Pendzich - Resident of Massapequa  
Doreen Soto - Resident of North Babylon  
Bettina Barbier - Resident of Huntington  
Carol Finnerty - American Heart Association  
Rich Couch - American Cancer Society  
Rosalie Yelen - Huntington Breast Cancer Action Coalition  
Elsa Ford - Brentwood/Bay Shore Breast Cancer Coalition  
Erik DuMont - Citizens Campaign for the Environment  
Amie Hamlin - New York League of Conservation Voters  
Karen Miller - Estee Lauder Companies  
Susan Anderson - Estee Lauder Companies

Lorraine Marciano - Estee Lauder Companies

Steven Restmeyer - President/Long Island Organic Horticulture Assoc.

Bob DiBenedetto - Earth Save

Meg Engelman - Earth Save

Nigel Lea - Peacesmiths

All Other Interested Parties

**Minutes Taken By:**

Alison Mahoney - court Stenographer

**Minutes Transcribed By:**

Lucia Braaten - court Stenographer

(\*The meeting was called to order at 9:58 A.M.\*)

**CHAIRPERSON FIELDS:**

Good morning. We're going to begin the meeting. Would you all stand for the Pledge of Allegiance led by Legislator Caracappa.

**(Salutation)**

Good morning. We have several public speakers and we have an unusual bit of business this morning. We're going to be making some conference calls to Florida and we have a time of 10:15 that we have to make that call. So I would ask that the speakers come up and speak possibly no more than three minutes, and then at 10:15, we'll stop, make that conference call, and then resume the public portion of it again. Lorraine Marciano on the breast cancer -- from the breast -- on Breast Cancer Research Foundation on the Illumination Project.

**MS. MARCIANO:**

Good morning. I am Lorraine Marciano, I represent the Estee Lauder Companies here on Long Island, where we have about 4,000 employees in Suffolk County that join with us in bringing awareness to the breast cancer right here on Long Island. What we would like to do this year, Mrs. Evelyn Lauder heads up the Breast Cancer Research Foundation from New York, we join with her as employees of Estee Lauder, bringing awareness, raising funds. Money is always good. She's raised \$4 million for research already. That's the only way we're going to cure this in our lifetime. This year she's decided to do an Illumination Project worldwide with her own connections to First Ladies and Presidents and Ministers all over the country and all over the world, I really should say. We were asked because Susan Anderson and myself are Co-Chairs for Long Island to see if we could go to Suffolk County and bring this message.

Governor Pataki and First Lady, Libby Pataki, are going to be lighting the Empire State Building on October 2nd at 7 p.m. worldwide, local time this is going to happen.

**CHAIRPERSON FIELDS:**

In pink lights.

**MS. MARCIANO:**

In pink lights. It's not going to bring any money in, I don't think, it's not going to change anything, but what it's going to do, it's going to bring awareness, it's going to show support that everyone here, we want this cured. We're with you. We want to show the people that had breast cancer, we want to respect their

courage.

So that's the driving goal of the Breast Cancer Research Awareness Program. We can be proud in the few short years, we've made the pink ribbon and pink a symbol of that. And for the Year 2000, it's called the Global Landmarks Illumination, Monday, October 2nd, 7 p.m. local time worldwide, and it's just for the one evening, continuing through the rest of the evening. New York City is going to join, and the Empire State Building, like I said, is going to be in pink lights. And Libby Pataki is going to throw the switch, so they say here, which would be wonderful. And we're going to have pink landmark events, and it's just called the Pink Monument Lighting.

If we could do this for the people of Suffolk County, because everyone has been touched by breast cancer, it doesn't matter if you had it, you know someone, you love someone that has it. It would show our support and bring awareness. And that's about it.

**CHAIRPERSON FIELDS:**

Thank you. Legislator Cameron Alden.

**LEG. ALDEN:**

I introduced this bill, and, basically, I think everybody on the panel is more than aware of what I'm going to say. But breast cancer touches every one of our lives, our mothers, our daughters, our sisters, our aunts, other family members, our brothers, our fathers, our uncles and male friends, also. I'm a male breast cancer survivor. The importance of lighting the building, as was just stated, we're not going to bring any -- we're not bringing money immediately into any coffers, but what it does is it shows a solidarity, and, also, we're reaching out to those survivors and we're reaching out to the people that have had family members and friends that have suffered a loss, because breast cancer kills. We're telling them that we do still care and we're going to try everything that we can to try to find a cure in their lifetime, in our lifetime. And that's why, for a minimal amount of money, my intent here is not to spend hundreds of thousands of dollars to light these buildings up, as a matter of fact, I'm looking at -- Charlie Bartha has been very cooperative, he's looking at some possibilities. We're leaning towards maybe even just like pink lens covers for the lights that exist, or rent a spotlight that could be covered with a pink lens and illuminated. And last night, I found out that for \$150 an hour, we can get a hundred million candle power spotlight, and now we're looking into the availability of the lenses for it, the pink lenses. So we're not talking about a lot of money, what we're talking about is making a statement and I think we need to do that.

**LEG. CARACAPPA:**

Madam Chair?

**CHAIRPERSON FIELDS:**

First off, let me say something, and then Legislator Caracappa. When I first saw the bill, I hadn't really looked at it closely, and my first thought was how much money are we going to spend, and is this really worth it, because I'd rather take the money and give it to cancer research. Then I spoke to Cameron and the idea absolutely appealed to me. I think that we should take even more steps. Maybe on October 2nd, as I suggested to Cameron, all of the Legislators should put a pink ribbon in front of their building, a pink light, or whatever it is that we can do, wear pink ribbons on our lapels. But, also, make one step beyond

that, and everyone should be told that day, "Have you had a mammography?" "When are you going to get a mammography?" "When did you last have a mammography?"

(\*Legislator Caracciolo entered the meeting at 10:05 A.M.\*)

And then we've gone from just making a statement to supporting the people that may be potential and future victims of breast cancer. So with that statement, I will give my wholehearted support and then some for this very good bill. And Legislator Caracappa.

**LEG. CARACAPPA:**

Thank you, Madam Chair. First, let me state and commend Estee Lauder, the entire company and their employees for all they've done for the breast cancer awareness push over the years. They've really been at the forefront and are associated with the fight against breast cancer. And I thank you as a personal individual.

To Cameron, the sponsor of the bill, we are picking up the tab. It's a very inexpensive venture for us to go into; correct?

**LEG. ALDEN:**

Right.

**LEG. CARACAPPA:**

We're picking up the tab. And there will be no affixed paint or signs to any of the County buildings, it's just a light?

**LEG. ALDEN:**

There's no signs. The only thing that, as Legislator Fields had suggested, was possibly put up pink ribbons, or something like that, on -- maybe even on these buildings, the Dennison Building, and our Legislative offices, but nothing permanently affixed. What we're trying to do is -- and it doesn't even have to be a bright pink. As long as it's a pin glow, we'll be showing solidarity with the rest of the world in this case.

**LEG. CARACAPPA:**

Just to make myself clear, I wouldn't be opposed to something affixed, I just wanted to make sure we knew exactly what the circumstances were to be,

**MS. MARCIANO:**

What we -- what we do at our -- at our seven or eight buildings, we use lens covers, all right, and we illuminate white buildings. I'll tell you, the lens covers illuminating white, it does stand out for the month of October. Even when you're driving along the expressway, you say, "Oh, something's different over there," because you're used to just seeing a white building, so that does do. What we do is we use a peel-off ribbon on our windows and we just take it off. And it's not obtrusive and it -- I don't believe it offends anyone or anything else.

**LEG. CARACAPPA:**

No, not at all.

**MS. MARCIANO:**

But, for the month of October, it's on the television, it's on the news. We're just joining so many more people that are out there, and October is the perfect month to do it. We'll help you get pink little ribbons, if you want to put them in jars in your offices.

**CHAIRPERSON FIELDS:**

I would appreciate that. I think if we're going to do this, we should do it --

**MS. MARCIANO:**

You know, we have so many of them. We can do the ribbons. We'll share with you how to get some of the inexpensive ribbons for your office areas, if you'd like. And how much you want to join us, that's how much we'll share back with you.

**CHAIRPERSON FIELDS:**

Okay, great. Thank you very much.

**MS. MARCIANO:**

Okay.

**CHAIRPERSON FIELDS:**

And thanks for your help.

**LEG. CRECCA:**

I just wanted to add --

**CHAIRPERSON FIELDS:**

Legislator Crecca.

**LEG. CRECCA:**

Thank you. I just wanted to add, I support this, I think it's great. I like Legislator Fields' idea of reaching out to the district offices and publicizing within each of our districts. Certainly, we all have access to the local media, the local papers, as well as, you know, News 12 and some of the --

**MS. MARCIANO:**

You can start your own internal -- you know, it doesn't take much, it's more volunteer, you know, for the month of October, something like that for yourself.

**LEG. CRECCA:**

Right. What I was going to suggest is, is that maybe we coordinate a project among the Legislators using, you know, the resource of the Presiding Officer's Office as sort of a Legislative press. And, Cameron, you know, I'll just make the suggestion, obviously, you take the lead on this. But I know I'm happy to do it within my own office for hanging ribbons out throughout --

**MS. MARCIANO:**

And use the lighting as a kick-off.

**LEG. CRECCA:**

Yeah, exactly.

**MS. MARCIANO:**

Get this early.

**LEG. CRECCA:**

Use this as the basis from which we can do a larger project. So thank you, and thank you, Estee Lauder, for the work that you're doing.

**MS. MARCIANO:**

Good.

**CHAIRPERSON FIELDS:**

Maybe, Cameron, we could have a little lighting ceremony when the lights go on.

**LEG. ALDEN:**

That would be appropriate.

**CHAIRPERSON FIELDS:**

You could pull the switch.

**LEG. ALDEN:**

Yeah. We might be able to get some press on that, too. I'll have to talk to my Legislative Aide.

**CHAIRPERSON FIELDS:**

Okay. Thank you. Okay. Next speaker is Marie Pendzich, citizens concerned why we shouldn't spray.

**MS. PENDZICH:**

You got it right. Okay. I'm here to speak about the Cooper bill, 1451, why Suffolk County should investigate all alternatives first before spraying. I wrote this down, so I wouldn't forget any important thing that I wanted to bring up. I feel it's extremely important that we strive to exhaust every alternative method of dealing with the mosquito problem before considering the use of pesticides. Pesticides are chemicals designed to kill, they are toxic, and they come with risks. Synthetic pyrethroids are known to be mutagenic, DNA and endocrine disrupters, neurotoxins, immune system depressants, and their inerts are carcinogenic. Because consequences are not always apparent or immediate does not mean that we won't pay the price, as we are paying the price today for all the pesticides that we used 20 years ago. DDT, which we were told was safe is still present in our bodies. And as Americans, our odds of getting cancer are one in three, one in eight for breast cancer. Remember, we were told also that Dursban was safe.

In addition, we need to consider the cumulative and interactive effects of pesticides on total load of chemicals that we are exposed to every day. If we use our strongest defense now, what will we do when more virulent viruses come to the United States due to the speed of worldwide travel and microbes that are not killed off during the mild winters. To further complicate matters, pesticides are not selective, they kill bees, fish, birds, amphibians, crustaceans, both predators of the mosquito and beneficial species, thus ensuring the pests reappearance and survival. The target pest can mutate and the strongest reproduce, rendering the application of pesticides ineffective and ensuring dependence on frequent and stronger pesticides. It becomes a never-ending cycle of continued use of poisons. Over 500 species have become immune to pesticides, one has not, that's us.

If last fall's spraying was so effective, why are we so worried now? We feel that spraying has been the result of mass hysteria, hyped by misinformation and lack of education. The public has heard little of the dangers of pesticides to our health and the environment. When ignorance is present, people cannot make the right decision. The picture has been extremely one-sided.

Further, the Department of Health in Nassau and Suffolk County, we feel, have done a pitiful job of monitoring the adverse health effects of last fall's spraying. A New York City hotline received thousand of calls reporting health problems. My friends and I have personally been affected health-wise with liver, respiratory, immune system and neurological problems, all of this for a disease which the Department of Health, CDC and medical journals calls mild for which people do develop immunity. We may win a few bit battles with the spraying, but I fear we will lose the war.

**LEG. CARACAPPA:**

Question.

**CHAIRPERSON FIELDS:**

Thank you. Legislator Caracappa.

**LEG. CARACAPPA:**

Thank you for your testimony and your concern. You said a lot of things there. Are you a scientist of any kind?

**MS. PENDZICH:**

No, I'm not, but I do -- I'm an educator and I do a lot of research and reading.

**LEG. CARACAPPA:**

Entomologist, any sort of background in regards to that?

**MS. PENDZICH:**

No.

**LEG. CARACAPPA:**

Pesticide studies?

**MS. PENDZICH:**



No. I belong to a lot of groups that are -- have done research, and I've read --

**LEG. CARACAPPA:**

But no -- no --

**MS. PENDZICH:**

I've read --

**LEG. CARACAPPA:**

No scientific backup today.

**MS. PENDZICH:**

No.

**LEG. CARACAPPA:**

Thank you.

**MS. PENDZICH:**

I'm a health teacher.

**LEG. CARACAPPA:**

Just asking.

**LEG. CRECCA:**

Should we do that call now?

**CHAIRPERSON FIELDS:**

I will give you three minutes. Bettina Barbier.

**MS. BARBIER:**

All right. Do I have three minutes before you're going to make your call?

**CHAIRPERSON FIELDS:**

You have -- I'll give you three minutes, yes.

**MS. BARBIER:**

Good morning. I support this measure. This is the bill to research alternatives to pesticides. There's a great deal of evidence that chemical pesticides have ill effects on human health. Pesticides are not required to be tested for health effects in order to be placed on the market, and that comes straight from the EPA. We don't know the full effects of pesticides now in use, and any statements that do exist regarding their effects come from animal testing, which is a poor predictor of human response, again, from a doctor at the EPA. Consider how long it took us to accept the idea that smoking was harmful. Must it take as long for us to at least investigate whether pesticides are similarly harmful? Financially, it makes sense to do this research; farms, golf courses, schools, and other entities which have made the transition away from chemical pesticides have found that their initial cost was more than recovered over time. The price of an

intern seems small when measured against the potential savings on chemicals, not to mention the piece of mind of finding methods that are not harmful.

One of the effects that many pesticides have on humans -- and, again, I'm not an entomologist, I'm not a doctor, but I think this has been established fairly well -- one of the effects is suppression of the immune system. Now, we have a disease that is known to be most severe in people with more vulnerable immune systems. It seems to make little sense to use chemicals that may actually weaken the immune system. Exposure to the very pesticides that are sprayed to help us may actually weaken us and render us more vulnerable to this disease. If the County undertakes this research and is instrumental in finding nontoxic means of curbing the mosquito population, it will have made a major contribution to the well-being of all people everywhere, not only by uncovering a better methodology, but by providing a shining example of how local government should work when confronted by a problem. Thank you.

**CHAIRPERSON FIELDS:**

Thank you. Any questions? Okay. We're going to make a phone call. This is Captain Cindy Sampson in Florida State Division of Alcoholic Beverages and Tobacco.

**[The Following Telephone Conference was Held Between Captain Cindy Sampson and the Health Committee]**

**OPERATOR:**

Alcoholic Beverages and Tobacco.

**CHAIRPERSON FIELDS:**

Hi. Is Captain Cindy Sampson in?

**OPERATOR:**

Yes. Hold, please.

**CAPTAIN SAMPSON:**

Cindy Sampson.

**CHAIRPERSON FIELDS:**

Hi, Captain Sampson.

**CAPTAIN SAMPSON:**

Yes, ma'am.

**CHAIRPERSON FIELDS:**

This is Legislator Ginny Fields calling from Suffolk County on Long Island in New York.

**CAPTAIN SAMPSON:**

Yes, ma'am.

**CHAIRPERSON FIELDS:**

We had a scheduled call for you today.

**CAPTAIN SAMPSON:**

Yes, you do.

**CHAIRPERSON FIELDS:**

Okay. We had some members of our committee who might like to ask some questions about the law that you have in Florida regarding smoking for children under 18.

**CAPTAIN SAMPSON:**

Okay.

**CHAIRPERSON FIELDS:**

Who enforces it, and so forth. Can you just give us a brief analysis of when the law started and who enforces it?

**CAPTAIN SAMPSON:**

Yes, ma'am. The law was enacted in October of 1997, and it -- what it -- what it says is it's a law that was passed that prohibits possession, misrepresenting age or military service to purchase or purchase of tobacco products by persons under 18 years of age. It is enforced by this division, the Division of Alcoholic Beverages and Tobacco, as well as any other law enforcement agency in the State.

**CHAIRPERSON FIELDS:**

Do you wear uniforms in your department?

**CAPTAIN SAMPSON:**

No. Our agents in our particular department are generally considered like detectives and usually are not in uniform.

**CHAIRPERSON FIELDS:**

What happens when you approach a 16 year old and you're not in uniform?

**CAPTAIN SAMPSON:**

Well, ma'am, our officers are certified law enforcement officers who do have credentials and badges, and when they approach an underage person, they will identify themselves with those credentials and that badge as law enforcement officers.

**CHAIRPERSON FIELDS:**

Devil's advocate here. I'm a parent of a young child who's 12, 13 years old and I have tried to teach them not to smoke, but I've also taught them not to talk to strangers and to not be available for strangers. What happens in a case like that?

**CAPTAIN SAMPSON:**

Generally, once our officers have identified themselves as police officers, parents don't usually teach their kids not to speak to police officers. And we really have not had a problem with stopping and questioning

kids once we've identified who we are.

**CHAIRPERSON FIELDS:**

And since 1997, you said?

**CAPTAIN SAMPSON:**

Yes, ma'am.

**CHAIRPERSON FIELDS:**

How has this changed the smoking habits of minors?

**CAPTAIN SAMPSON:**

Well, I have a few statistics for you. A report was published by the Florida Department of Health back in March of this year, and they have indicated, they did a tobacco use survey of more than 20,000 Florida middle and high school students in collaboration with the CDC, and what they found was -- is that there is a two-year decline since the enactment of that law in cigarette use that presents 79,760 fewer Florida youth smokers and approximately 26,320 fewer premature deaths attributed to smoking. And the reduction includes not just cigarette use, but also cigars and smokeless tobacco, because the law was written for, as I read before, tobacco products, not just cigarettes.

**CHAIRPERSON FIELDS:**

Is it possible for me to get a copy of that -- the result of that analysis?

**CAPTAIN SAMPSON:**

Yes, ma'am. If you give me a fax number, I'll be happy to fax it to you.

**CHAIRPERSON FIELDS:**

It would be area code 631.

**CAPTAIN SAMPSON:**

631.

**CHAIRPERSON FIELDS:**

854.

**CAPTAIN SAMPSON:**

854.

**CHAIRPERSON FIELDS:**

4927.

**CAPTAIN SAMPSON:**

4927.

**CHAIRPERSON FIELDS:**

4928, I'm sorry.

**CAPTAIN SAMPSON:**

28, okay. And that's to Ginny Fields.

**CHAIRPERSON FIELDS:**

Yes, it would be.

**CAPTAIN SAMPSON:**

Okay.

**CHAIRPERSON FIELDS:**

Thank you very much.

**CAPTAIN SAMPSON:**

Sure.

**CHAIRPERSON FIELDS:**

Does anyone else on the committee have any further questions?

**LEG. CARACCILOLO:**

Good morning, Captain Swenson?

**CAPTAIN SAMPSON:**

Sampson, yes.

**LEG. CARACCILOLO:**

Sampson. I apologize.

**CAPTAIN SAMPSON:**

That's all right.

**LEG. CARACCILOLO:**

This is Suffolk County Legislator Michael Caracciolo. I, too, would like to see a copy of the local law. Was that a local or a State law in the State of Florida?

**CAPTAIN SAMPSON:**

It's a State law, sir.

**LEG. CARACCILOLO:**

Okay. And this law is to be enforced or can be enforced by any sworn law enforcement officer in the State of Florida?

**CAPTAIN SAMPSON:**

Yes, sir, it can.

**LEG. CARACCILOLO:**

Okay. The report that you just cited, you said that was done by the Florida -- State of Florida Department of Health.

**CAPTAIN SAMPSON:**

Yes, ma'am.

**LEG. CARACCILO:**

And it was done in cooperation with the CDC?

**CAPTAIN SAMPSON:**

Yes, sir.

**LEG. CARACCILO:**

Okay. Is that a very lengthy report?

**CAPTAIN SAMPSON:**

No. Well, I don't have the actual report, what I have is the -- what they had published as a result of the report, which is only two pages, and then I have an attachment to it that shows in our agency, what we've done, you know, what arrests were made, or not really arrests, because they're not criminal citations, but what citations were issued from the years of 97-98, 98-99 and currently.

**LEG. CARACCILO:**

Do you have a sense of how the law is being applied throughout the State? Are there some jurisdictions where there is stricter enforcement of the law, as opposed to, let's say, large urban cities like Miami and other places in Dade County?

**CAPTAIN SAMPSON:**

Actually, that would be -- that would really be difficult for me to say, because we have several municipalities in Sheriff's Offices and such throughout the State, but there -- and as you see this one report, there is something, a category that's referred to as contracted agencies, and we have entered into contracts with local law enforcement for several years, at least, I guess, the three years that we've had the law, to do tobacco enforcement. So you'll see some figures by those contracted agencies, and they've tried to do them in a variety of places, not so much all just urban areas, but several sites throughout the State.

**LEG. CARACCILO:**

Are you aware if there are similar laws in other jurisdictions in the United States, other cities, states, or counties?

**CAPTAIN SAMPSON:**

No, sir, I'm not.

**LEG. CARACCILO:**

Okay.

**CHAIRPERSON FIELDS:**

May I interrupt and ask what your population is?

**CAPTAIN SAMPSON:**

Currently, our county covers an 841 square mile area. It's a metropolitanized government, so we have very few municipalities. The Sheriff's Office covers the entire county. And the population, I checked with the city, and currently, we're at about 905,000.

**CHAIRPERSON FIELDS:**

Okay, thank you.

**LEG. CARACCILO:**

Do you know who the -- I'm sure you do. Could you provide us with the names of the Legislative sponsors? This was a State law, correct?

**CAPTAIN SAMPSON:**

Yes, sir, but I don't know that the -- when they print the law out for us, and it was passed back in '97, as I indicated, so I don't even have the original Senate or House bill, though they indicate a history of when it was -- when it was passed, but not who sponsored it.

**CHAIRPERSON FIELDS:**

I'll get that. I'll have my Aide get that information. But, also, when you're faxing the analysis, could you also fax the law along with it?

**CAPTAIN SAMPSON:**

Sure.

**CHAIRPERSON FIELDS:**

Thank you.

**CAPTAIN SAMPSON:**

Sure.

**CHAIRPERSON FIELDS:**

Legislator Caracappa.

**LEG. CARACAPPA:**

Good morning, Captain Sampson. My name is Joe Caracappa. I'm a member of the Health Committee in the Legislature. I appreciate your talking with us this morning. Many of my questions have been asked, but I do have a few others. You mentioned numerous times that it's a State law. Are all municipalities throughout the State participating, or do they have the option of opting into participating into this type of legislation?

**CAPTAIN SAMPSON:**

Well, because it is a State law, certainly, all municipalities have the ability to enforce the State law. I'd like to think they all do, but I can't tell you, you know, what areas are more active or not in enforcing it.

**LEG. CARACAPPA:**

And seeing that it is a State law, is any funding made available for the small municipalities who are expending their resources through their police department or other means of enforcement?

**CAPTAIN SAMPSON:**

Well, technically, in a way, that is one of the reasons that they opted to use some of the tobacco pilot program money to contract with agencies, so that enforcement could be done on an overtime basis with those municipalities. So there is some funding that is available, if they choose to contract with us and a contract is accepted.

**LEG. CARACAPPA:**

Okay. It was asked earlier what the population of your municipality is?

**CAPTAIN SAMPSON:**

Yes.

**LEG. CARACAPPA:**

Did you give a number on that? I may have missed that.

**CHAIRPERSON FIELDS:**

Yes.

**CAPTAIN SAMPSON:**

Yes.

**LEG. CARACAPPA:**

What was that number?

**CHAIRPERSON FIELDS:**

Nine hundred plus.

**LEG. CARACAPPA:**

Nine hundred plus? How many -- how many sworn police officers are used for this detail in your area?

**CAPTAIN SAMPSON:**

Currently, in my office, I have nine.

**LEG. CARACAPPA:**

So it's nine for a population of 900.

**CAPTAIN SAMPSON:**

Well, actually, it's nine for more than that, because I cover seven counties, and the population I gave you was for Duvall County only.

**LEG. CARACAPPA:**



Okay.

**CHAIRPERSON FIELDS:**

Finished?

**LEG. CARACAPPA:**

How many -- how many police officers are in your force altogether?

**CAPTAIN SAMPSON:**

That figure fluctuates, but to give you a --

**LEG. CARACAPPA:**

Average.

**CAPTAIN SAMPSON:**

-- ballpark guesstimate, probably about 150 throughout the State.

**LEG. CARACAPPA:**

Thank you.

**LEG. CRECCA:**

May I, Legislator Fields? Hi. I'm Legislator Crecca, also with the Health Committee, Captain. Captain, I'm sorry. I'm going to just jump back to who's enforcing this law. I know you said you had certified law enforcement officers. Are they strictly dedicated to enforcing this particular law?

**CAPTAIN SAMPSON:**

No, sir.

**LEG. CRECCA:**

Okay. Are you using -- you're using your regular police officers or sheriffs to enforce this?

**CAPTAIN SAMPSON:**

Yes, we are.

**LEG. CRECCA:**

Okay. So there's not -- you haven't like designated special agents or special officers for this purpose?

**CAPTAIN SAMPSON:**

No, sir.

**LEG. CRECCA:**

Well, in other words, I'm sorry, there's a team of them, but they will come from your current police force, current Sheriff's Department; correct or no?

**CAPTAIN SAMPSON:**

I'm not sure I follow your question.

**LEG. CRECCA:**

Okay. I'm sorry, I'm not --

**CHAIRPERSON FIELDS:**

I believe she did say that some people that are not wearing uniforms are also doing this, right?

**LEG. CRECCA:**

Is it -- you did say that you have nonuniform personnel?

**CAPTAIN SAMPSON:**

I have nonuniform personnel.

**LEG. CRECCA:**

Okay. I guess what I'm asking is, is this part of a specialized group within your department, or is this separate people that the county hired or the State hired to enforce this law?

**CAPTAIN SAMPSON:**

Well, I can only speak for my agency, because I don't know if the county has hired additional parties to do this enforcement, I'm not aware of it if they had, but that doesn't mean that they haven't. Our agents work a variety of things including this, this is not their sole responsibility. There are some agents, I think there's twelve of them throughout the State, that are contract administrators that --

**LEG. CRECCA:**

Right.

**CAPTAIN SAMPSON:**

As I said earlier, we contract with agencies throughout the State of Florida to enforce this and they are the parties that make sure that the contracts are being honored and they'll provide the training and things like that.

**LEG. CRECCA:**

Okay. And what is your agency? I know -- I apologize, but I didn't catch that in the beginning of the conversation.

**CAPTAIN SAMPSON:**

That's all right. We are the Florida Division of Alcoholic Beverages and Tobacco.

**LEG. CRECCA:**

Okay.

**CAPTAIN SAMPSON:**

I guess like an ABC where you're from?

**LEG. CRECCA:**

Yes, exactly. And, in other words, you represent a certain area within Florida, like we would have an ABC board that covers a county or a municipality?

**CAPTAIN SAMPSON:**

Yes.

**LEG. CRECCA:**

Is that the same thing with you?

**CAPTAIN SAMPSON:**

We have 20 district offices throughout the State, that's why we cover more than just one county.

**LEG. CRECCA:**

Right.

**CAPTAIN SAMPSON:**

And this is the Jacksonville District Office. We have seven counties.

**LEG. CRECCA:**

One of the other things you mentioned earlier was your statute has a provision in it I guess for a violation of misrepresentation of age. Can you tell us how that works, and have -- are you able to enforce that in any way?

**CAPTAIN SAMPSON:**

Well, it's enforceable in the same way that it would be for possession or attempt to purchase tobacco products. It has the same penalties attached to it in this noncriminal violation.

**LEG. CRECCA:**

And what is it? Do they actually issue a summons?

**CAPTAIN SAMPSON:**

Yes. They're issued a noncriminal summons and they do have to appear in court, and depending on whether it's a first, second or third violation, there is penalties that are outlined for each of those. And when I fax you a copy of the law, because it's quite lengthy, you'll have a better indication as to exactly what each of those penalties are, because there's some things that are caveats for if they don't show up in court, what would happen, and so on.

**LEG. CRECCA:**

And the officers who are enforcing this -- this is my final question -- are they -- do they carry weapons, guns?

**CAPTAIN SAMPSON:**

In my agency?

**LEG. CRECCA:**

Yes.

**CAPTAIN SAMPSON:**

Our agents are certified and do carry weapons, yes.

**LEG. CRECCA:**

Okay. And I said that was the last question, but I lied. One more. The officers -- and you also said that local Sheriff's Offices or other local law enforcement personnel can enforce this law, since it's a State law; is that correct?

**CAPTAIN SAMPSON:**

That is correct.

**LEG. CRECCA:**

Do you find that they do as a general --

**CAPTAIN SAMPSON:**

I -- you know, other than the contract figures that I have, I have no way of telling you, you know, which area enforces it more, how many municipalities are participating, because those records are kept by the Clerk of the court, so I can't honestly tell you that they are or they aren't, one area is better than the other, I don't know.

**LEG. CRECCA:**

Okay. Thank you.

**LEG. FOLEY:**

Lieutenant?

**CHAIRPERSON FIELDS:**

No, Captain.

**LEG. FOLEY:**

Captain? Captain Sampson, this is Legislator Brian Foley speaking. Thank you for giving us your time this morning. I wanted to follow up on one point you just mentioned earlier, and it's more of a question regarding your professional opinion on it, and it's a criticism that has been targeted, that this legislation, that it criminalizes children. Earlier you mentioned that you issue noncriminal citations; is that not correct?

**CAPTAIN SAMPSON:**

That is correct.

**LEG. FOLEY:**

In your professional opinion, the way that your staff administers the law, do you consider this administration of the law a way of criminalizing those children who do smoke?

**CAPTAIN SAMPSON:**

Well, I don't know how it could in that it is specifically designated as noncriminal, it's handled as noncriminal, the fines that are attached to it are very much noncriminal. And, you know, the other thing to consider is that in addition to the fact that they appear in court and they may have a fine, they also have to perform some community service and attend, if it's available, a school-approved anti-tobacco program. So the intent is not so much to fine them or run them in court, but to expose them to some community service that might give them some education and put them in an anti-tobacco program.

**LEG. FOLEY:**

So, in your law enforcement professional opinion, these children are not handled in any fashion that could be considered -- that would consider them as being criminals, if and when they do violate the law?

**CAPTAIN SAMPSON:**

In my opinion, no. And I think the statute --

**LEG. FOLEY:**

Thank you.

**CAPTAIN SAMPSON:**

-- the way it's written, supports that.

**LEG. FOLEY:**

Thank you.

**CHAIRPERSON FIELDS:**

One more question is that -- we just got from some members -- a member of the audience. Would you attribute all the reductions in youth smoking to the Youth Possession Law?

**CAPTAIN SAMPSON:**

There is no way that I can say that that is 100% factual. Florida has done some other things. They have formed some -- the counties have formed tobacco partnerships, and as part of those partnerships, there are student-run organizations called SWAT Teams, Students Working Against Tobacco. Those students get together each year in a conference and they produce commercials and participate in other community activities that support the nonsmoking theory, and I think some of those commercials are called Truth. So, you know, I think enforcement is an important part of it, but I can't say that it's the total -- the total claim to the reduction.

**CHAIRPERSON FIELDS:**

But do you think it's -- you think it's part of it, you think it's helped?

**CAPTAIN SAMPSON:**

Oh, I'm sure, yes, it's helped.

**CHAIRPERSON FIELDS:**

And then one other question. What year did the Truth Campaign begin; do you know that?

**CAPTAIN SAMPSON:**

They started the campaigns at the same time that the coalitions were formed, which was, I believe, in '97 as well, late '97.

**CHAIRPERSON FIELDS:**

Okay. Any other questions? No.

**LEG. CRECCA:**

Thank you.

**CHAIRPERSON FIELDS:**

We appreciate very much your time and all of your information.

**CAPTAIN SAMPSON:**

I'm glad if I was able to help. And I will fax you that information right now.

**CHAIRPERSON FIELDS:**

Great. Thank you so much.

**CAPTAIN SAMPSON:**

You're welcome.

**CHAIRPERSON FIELDS:**

Bye now.

**CAPTAIN SAMPSON:**

Bye-bye.

**[Telephone Conference Ended]**

**LEG. CRECCA:**

This is cool. This is like they have on Who Wants to be a Millionaire, "Can I call somebody for a life line? "

**CHAIRPERSON FIELDS:**

We just did. Okay. The next speaker is Meg Engelman? Am I --

**MS. ENGELMAN:**

Right.

**CHAIRPERSON FIELDS:**

Is that correct? EarthSave.

**MS. ENGELMAN:**

Good morning. Thank you for letting me speak. I'm very concerned about the use of the pesticides, as I

think everybody here is. And just because something has an EPA number doesn't mean that it's been thoroughly tested, because they don't always test the pesticides the way that they are used. Like they'll test Malathion, for example, by itself without all the other additives. I would love to see an answer to your question, Legislator Caracappa. I would love to see studies of the long-term exposure to humans, to the best of any knowledge, and I'm not the only -- I may know, I don't think there are very many, if any, and it's something that we really have to do.

I had other things to say, but other people said it, so I'm going to quote some things from an article that I'd like to give you copies of.

West Nile Virus belongs to a large group of arthropod-borne viruses, nicknamed ARBO, which includes many viruses that cause more familiar forms of encephalitis, as well as dengue fever and yellow fever. For West Nile Virus, mosquitoes are the vectors and birds are the primary hosts, while humans are an alternate host. In areas such as Africa, where the virus has occurred for years, most bird species have developed resistance to the virus through the selective elimination of susceptible individuals and survival of those who could resist the infection. This evolutionary process is similar to the process by which mosquito populations build up resistance to pesticides, or by which bacteria develop resistance to antibiotics. So our birds haven't -- it's new here, so they haven't had a chance to become immune.

Not only are humans not the primary host for this virus, but they're not probably even a very good host. Based upon experience with other West Nile Virus epidemics, we know that typically less than one-tenth of one percent of people bitten by infected mosquitoes develop any clinical signs of disease and of those who do develop disease symptoms, most do not develop the serious encephalitis manifestations. However, up to ten percent of those who actually develop encephalitis may die of the disease. And it's clear that it's very terrifying, and I think that a lot of times the Health Departments, etcetera, overreact.

Pesticides, even with those with relatively low acute toxicity to adults, may be more problematic in young children with immature nervous systems and in the elderly. It is also a problem for those who have or believe they have unusual sensitivities to pesticides or other chemicals. T.V. broadcasts can caution listeners to remain indoors during spraying, but the time of the spraying at any one location could not be predicted, as we know, because of the weather, etcetera, etcetera, and they could not remain indoors all day on the announced day of spraying. Moreover, it is easier to make a house mosquito proof and spray proof.

Indeed, it is a well -- it is well established that outdoor air pollutants tend to accumulate at higher levels indoors than outdoors. And the problem is in broadcast application of spray, they fall on areas where the likelihood of mosquito-human contact is low. Thus areas with few mosquitoes, but many other non-target species are sprayed, as are densely populated residential areas where mosquito populations are low to begin with. It is not made clear to the public that these broadcast -- broad spectrum insecticides kill many other insects besides mosquitoes. They include economically valued insects such as honey bees, praying mantids and ladybird beetles, as well as conspicuous and attractive species such as butterflies. Such insecticides also destroy innumerable less conspicuous insects that are important components of biodiversity and are the food for birds and small mammals. This, after all, was the message of Rachel Carson's "Silent Spring" published in 1962, that's almost 40 years ago, and that even her detractors

recognize as one of the most influential books of the 20th Century.

And I think it's time for us to really look into alternatives, because what they're doing is they're spraying us with things that are going to depress our immune system, so we will be more open. Our bodies won't be able to fight off these other diseases, and then they'll say, "Oh, you're sick, we have to spray." And I think it has got to stop, I really do. And I know that this bill isn't about DEET, but there are a lot of alternatives out there. I think at one of the Legislative meetings, I gave out information on All-Terrain, which is an alternative oil spray. And those things really do work, because we're harming ourselves, and the public doesn't always read labels. Even though they'll tell them the correct directions for DEET, they just -- they're so afraid. They buy DEET, DEET, DEET, and that's all they want to use.

**CHAIRPERSON FIELDS:**

Okay. Thank you. Carol Finnerty, American Heart -- oh, we have a -- hold on. Wait a minute. Okay. Carol Finnerty, American Heart Association, on Public Access Defibrillation Program in schools.

I just wanted to tell you that we have an additional phone call at 11:15. These were both scheduled, and this one will be to Palm Beach County Sheriff's Department.

**MS. FINNERTY:**

Good morning. I'm here to support Andrew Crecca's Resolution 1734 on public access defibrillation, particularly in the school setting. As you know, we've lost three children in Suffolk County from camodial cordis. One child was a Sachem School District child who graduated and went to UMass and died, and we've had the seven year old in Centereach, and Louis Acampora from the Northport School District. We want to form a task force, since we were asked to do it by this body, and this is really just an extension of your foresight for our CPR in the school's program that you supported. And the Heart Association now has a national program that was based 95% on the Suffolk County program for CPR in the schools. And because you had passed the legislation to buy us mannequins to train the children, we have trained over 6,000 kids this year, which is no place else in the United States that this has been done, so we can really be proud of that.

But the Acampora Family has started a foundation in Louis' name, and you asked us to put together a program, so we don't have to reinvent the wheel, because it's been done in Wisconsin, and this program was started with three kids, three children dying in the State of Wisconsin, not just the County. So the book is in place and they want to purchase this book, and together with one of the AED legislative -- manufacturers, we formed -- made a video to give out to the school districts.

Are there any questions? I mean, the County has already seen fit to place 287 in your County government, AED's throughout the County, so you certainly again lead the way with placements of AED's.

**CHAIRPERSON FIELDS:**

Legislator Crecca.

**LEG. CRECCA:**

Yeah. I just want to make it clear, actually, if I can just clarify something that Carol Finnerty brought up, is the task force bill that is before the committee today is -- that task force is not just looking at schools,



though. At the recommendation of the Presiding Officer and other members of the Budget Committee, I think Legislator Caracciolo was there, what they asked was -- is that we put together a task force to make recommendations to the Legislature for a County-wide program, so that we can take a look at not just the need for AED's in the schools, but the needs for AED's in other public places, and maybe a more comprehensive County-wide program to make automated external defibrillators available throughout the County, and where the dollars could be spent most effectively.

So I just wanted to clarify that in the bill. I think there's a -- you know, a tremendous amount of support for this bill and I look forward to -- we've kept the time short on when the task force will report back, so we can start to take some action possibly in 2001, if the Legislature thinks it's appropriate.

Thank you, Carol, for coming down. And I'd ask any other Legislators if you have any other questions?

**CHAIRPERSON FIELDS:**

Legislator Caracappa.

**LEG. CARACAPPA:**

Thank you so much for coming down and speaking on this. I am working with Legislator Crecca and will be cosponsoring all of his efforts, knowing what Legislator Crecca has gone through, and little Ryan Bonco Was a neighbor of mine, and it's very unfortunate.

In conjunction with the defibs, I'm also working with State Legislators and our own counsel on the use of Heart Guard. They are a couple of ounces in weight, and they are about the size of the shape I'm showing here, and they're strapped on like a little mini chest protector to prevent the blows from happening that have happened to the children, and the young men and women that are throughout this country that have suffered this type of injury. And our Counsel and the State Legislature will be trying to -- I'm going to ask Legislator Crecca, we can merge these two concepts, so, hopefully, the kids in the future will be as safe as they possibly can when participating in athletic activities.

**MS. FINNERTY:**

Thank you.

**CHAIRPERSON FIELDS:**

Thank you. I'm having a little difficulty reading this. Rosalie, is it Yelen?

**MS. YELEN:**

Yes, it is.

**CHAIRPERSON FIELDS:**

Oh, okay. Huntington Breast Cancer Action Coalition.

**MS. YELEN:**

Yes. Thank you. And I'm glad to have Commissioner Bradley in the audience as well. I'm a health -- breast health educator representing HBCAC here today in support of Resolution 1451.

As breast cancer activists, and as mothers and daughters as well, we recoil from the idea of even one frail elderly person or vulnerable child contracting West Nile Virus and perhaps dying from it, but we are equally appalled at the thought of exposing ourselves and our families unnecessarily to an additional burden of cancer-causing agents in the environment. And breast cancer is a real epidemic, as opposed to West Nile Virus, affecting one out of every seven or eight women, and some 45,000 women will die from it each year.

I wish you could have heard the gut-wrenching testimony of the breast cancer survivors at the Manhasset press conference on Monday. This epidemic must be stopped. There is widespread belief that environmental risk factors may count for up to 80% of all diagnosed breast cancers. Studies in animals have linked pesticides, including those used to combat mosquitoes, to cancer and birth defects.

In numerous studies, Mary Wilfs at Mount Sinai and others, it has been shown that pesticides such as Resmethrin and Sumithrin act as endocrine disrupters and have the potential to promote the growth of breast cancer tumors. We also don't know the long-term effects of those chemicals on the immune system, or the effects of prolonged exposure, such as several months of repeated spraying, not to mention exposure from often inappropriate indoor use of pesticides.

Scientists are only now beginning to study the synergistic affects of pesticides, the impact of multiple exposures and their interactions on the body. For that reason, many conservative researchers are recommending minimizing human exposure to endocrine-disrupting chemicals.

An ironic side note, West Nile Virus is known to affect people with weakened immune systems. Pesticide exposure also weakens immune systems of healthy people, potentially making people more susceptible to West Nile Virus, as well as other untold short and long-term effects.

There is no such thing as a safe pesticide. Therefore, we are adamantly exposed to widespread truck or aerial spraying and advocate instead increased source reduction and larvaciding and mechanical controls such as mosquito magnets.

We strongly support Resolution 1451 since we believe that gaining information and data on nontoxic alternatives will allow us to break the cycle of resorting to spraying toxic pesticides. We implore you, as our elected voice of the people, stop the madness. Stand up for our right to live in a community free of toxic chemicals in our air, water and food. Thank you.

#### **CHAIRPERSON FIELDS:**

Thank you. Amie Hamlin, New York League of Conservation Voters.

#### **MS. HAMLIN:**

Hi. I'd like to thank Jon Cooper for introducing this legislation for a pilot program for alternatives to pesticides. It's obviously not until we have some effective alternatives that the Health Department and Vector Control will consider replacing pesticides, so I think this bill is a no-brainer. I feel that a large experiment is being conducted on Long Island residents. DDT and other pesticides once considered safe have later been banned. DDT is highly associated with breast cancer and was responsible for the New York extinction of ospreys. Thirty years after being banned, it is still found in human tissue. We don't

know what effects the pesticides that are being used now will have long-term.

I have extensive estrogen dependant breast cancer in my family. Now that there is some evidence that certain pesticides might cause estrogen-dependant breast tumor growth, on top of the already high rates of breast cancer on Long Island, I think it is an extra call for precaution. Why take the risk?

I heard a New York City Health Department official on T.V. yesterday say that we need to spray to prevent thousands of deaths. Excuse me, and I don't mean to in any way minimize the horrible fact that seven people died from the West Nile Virus, but this is mass hysteria to say that we're protecting thousands of people from dying from West Nile Virus.

I once toured the laboratories at Dow Chemical where they test pesticides in relationship to another job I had. One of the tests was to determine what quantity of pesticides it would take to kill 50% of the beagle dogs that they were using. That's called the LD50 test. The results of the tests are not used to prevent the product from coming to market, but, rather, for information for the material data safety sheets.

It makes sense to invest in our future and to protect the public and the environment from future potential harm, which we don't know what that might be. The media has been woefully inadequate in putting the West Nile Virus in perspective and has -- and has failed to adequately discuss the potential dangers of pesticides. Thank you.

Now, I'd like to know if I could comment on another bill, just very briefly?

**CHAIRPERSON FIELDS:**

Sure.

**MS. HAMLIN:**

Okay. As a former Director of Tobacco Control in Broome and Tioga County for three-and-a-half years, I am concerned about the Youth Possession Bill, though I realize and totally respect you, Legislator Fields, for doing anything to try to reduce youth smoking, which is a horrible, horrible problem. The reason that I have concerns about this bill is, number one, it's promoted -- these kinds of bills are promoted by the tobacco industry. The tobacco industry does not promote bills that threaten their bottom line, and when they support a law, you have to ask why. And secondly, it tends to remove the responsibility from the tobacco industry and from the retailers, where I believe it belongs. I don't think kids should have tobacco, though. So those are my concerns.

And in terms of Florida, thank you for asking my questions to the person that you had on the phone. Florida had, and it started at the same time as their Youth Possession Law, a huge campaign called the Truth Campaign, it's not just the names of their commercials, it's a huge campaign called the Truth Campaign and they had kids from all over the state, and that money that they got from the settlement, from the tobacco settlement, they used for this Truth Campaign. And I'm not saying that the youth possession laws didn't have any effect, but it's believed that the Truth Campaign had a massive effect. In fact, it had the largest effect on tobacco -- on the reduction of youth taking up tobacco smoking than has ever been seen anywhere in the entire world. It was so affective, in fact, that after one year, Governor Bush fired the Director of Tobacco Control in Florida that helped design this program and cut the budget

in half. He receives a lot of tobacco money. It was threatening because it was so successful, and I find that to be very sad. So I'm not saying that that program didn't have any benefit, and I'm not saying that it wouldn't have an effect, but I have a big concern that it takes the responsibility off the tobacco industry, who spends \$6 billion a year to addict young people to tobacco.

**CHAIRPERSON FIELDS:**

Okay. I argue that it does not take the -- it doesn't take it away from the tobacco industry, it just adds another component. But that's --

**MS. HAMLIN:**

I hope that's true.

**CHAIRPERSON FIELDS:**

That's an argument. But, secondly, just to let you know, the tobacco industry has not supported this at all, my bill. No one has approached me.

**MS. HAMLIN:**

Not your bill, but, in general, across the country, when I was involved for three-and-a-half years --

**CHAIRPERSON FIELDS:**

Okay. But I just wanted to let you know that I have not heard from anyone --

**MS. HAMLIN:**

Okay.

**CHAIRPERSON FIELDS:**

-- from the tobacco --

**MS. HAMLIN:**

But I'm saying, in theory, they support youth possession laws. And so I fully respect what you're working to do, these are just some concerns that I have about the issue that I wanted to make known.

**CHAIRPERSON FIELDS:**

Okay. Thank you.

**MS. HAMLIN:**

Thank you.

**CHAIRPERSON FIELDS:**

Erik DuMont from Citizens Campaign for the Environment.

**MR. DUMONT:**

Hello. My name is Erik DuMont. I'm the Long Island Program Coordinator for Citizens Campaign for the Environment.

First of all, I'd like to thank Legislator Cooper for introducing the pilot program, Resolution 1451. Citizens Campaign for the Environment, we're a statewide environmental organization, and what we do is we work to protect public health and the environment. Seeing as how that's our mission and the fact that long-term effects of pesticides are not known, pesticide use in Suffolk County alone is reported at I think one-and-a-half million pounds just for last year. That averages a little bit over a pound of pesticides per individual in Suffolk County. And it's not just one pesticide, there's obviously many being used, and the symbiotic effect of many pesticides acting on each other in the environment and acting in concert on people's health, it's just know. It's not even tested for. There really aren't any studies for that.

Anything that provides nontoxic alternatives, this is the way we can reduce our dependence on toxic pesticides. There are many possibilities, everything from the mosquito magnet, which has been shown to be effective, widespread release of dragonflies. Anyone who's taken any general ecology courses would know that dragonfly larva not only attack mosquito larva, but the adult dragonflies also eat adult mosquitoes. There's a lot of possibilities out there. Any one of these, we think, anything that can reduce our dependence on pesticide use in this County would be a welcome relief.

We especially like the idea that the pilot program is going to be overseen by an intern, who's going to be working in conjunction with the County Department of the Public -- Department of Public Works, as well as with the Citizen Advisory Committee. We feel that having the sort of third party influence will help alleviate any concerns in terms of ensuring objectivity. We know we all have our own preferences for what we want to have used, and we think that having a third party overseeing this will greatly ensure that the best possibility is going to be reached.

With the long-term effect of pesticides not known, especially right now, what we're finding is many pesticides that we thought were safe before, a lot of people have mentioned these in the past, Dursban, DDT, Malathion has been most recently downgraded in terms of its safety, we feel that using -- going to nontoxic alternatives is really the only responsible step we can take. The pilot program is a first responsible step, we hope, in weaning our dependence on toxic chemicals in response to West Nile Virus especially. We've heard that much of the spraying in response to West Nile Virus is for the greater public good. We're working to save a couple of people who may contract the disease and may even get extremely sick from it. How much better would it be for the greater public good, though, if we could do this in a way that's nontoxic.

We're very excited about this pilot program. We're hoping that many alternatives, not just one, will be found for many situations. We're hoping that this especially will replace the nuisance spraying also in places like Gilgo Beach, Davis Park, Bellmont Lake State Park. Any sort of pilot program that we can determine that has a nontoxic alternative, regardless of what it is, we would like to see this pursued as highly as possible.

We feel for all the above reasons, not just because of the safety questions about pesticides, but also just for the purpose of doing this in a way that doesn't aggravate some people's health, we know asthma and whatever has been aggravated by pesticide problems. We applaud any effort to move in this direction, and for all these reasons, we strongly support Resolution 1451 and encourage all members to vote for its

speedy passage. Thank you.

**CHAIRPERSON FIELDS:**

Legislator Caracappa

**LEG. CARACAPPA:**

Thank you. Thank you for coming down and giving us your testimony. Is Suffolk County the first place that this has been thought of for toxic alternatives? Is it being used, implemented, tested on any level any other place than Suffolk County, where we're having a problem with West Nile? Has it been used and has it been effective?

**MR. DUMONT:**

I'm not sure, but I would like to think that we would be able to find our own ways.

**LEG. CARACAPPA:**

You're not sure? Is anybody sure?

**AUDIENCE MEMBER:**

Yes.

**MS. FORD:**

California. We have a program in California that has a very good surveillance on it.

**LEG. CARACAPPA:**

Elsa, when you come up, I can ask you that question. Thank you.

**MR. DUMONT:**

I could say I talked to a member of the Health Department from New York City and she was actually the one who introduced me to the idea of the dragonflies. She said it had been used somewhat successfully down in Florida.

**LEG. CARACAPPA:**

Oh, there's a whole host of, I know, alternatives being used, you know, larvae eating fish, mosquito type of eating fish.

**MR. DUMONT:**

Used effectively, I'll add.

**LEG. CARACAPPA:**

But all the stuffs in -- all the stuff in Legislator Cooper's bill and the things I've seen recently such as some sort of citric type of acid, or not acid, like oil and certain tree oils and leaf oils that I've been reading about. I just -- I don't know if it's been used anywhere else, it's been talked about a lot, and I don't know if -

-

**MR. DUMONT:**

That's the purpose of the pilot program.

**LEG. CARACAPPA:**

-- any municipality has reached out and used them as their primary source of mosquito control. So if anyone, as they come up to speak --

**MR. DUMONT:**

I guess that would be the purpose of the pilot program is to test the efficacy of all those.

**LEG. CARACAPPA:**

Right. That's my -- that's my leading question. Does Suffolk need to do a pilot program, because has it been piloted in other areas, and are they effective? Can we just go right to it? It's not like we're -- are we breaking new ground here in Suffolk or aren't we? That's my point. It's not like we're breaking new ground here in Suffolk, like this is the only place that needs to be piloted. Has it been done in the past and has it been effective? That's all I need to know. But thank you again for your testimony.

**MR. DUMONT:**

You're welcome.

**CHAIRPERSON FIELDS:**

Thank you. Elsa Ford, Brentwood/Bay Shore Breast --

**MS. FORD:**

Cancer --

**CHAIRPERSON FIELDS:**

Cancer Coalition.

**MS. FORD:**

Thank you. I'm sorry for the handwriting. I'm here to address Resolution 1451 and to speak to the whereas of -- in light of environmental and health concerns.

An answer to your question right away, Dr. Basil Tangretti is very familiar with a program in California that has great success with alternative treatments, and so -- and then also Karen Miller just told me about mosquito magnet program in the Everglades, you can imagine. And so I think that should there be -- that it's important to have this program, because then all of this information can be incorporated and adapted to our circumstances and it can take the best of everything and then make it work for us.

**LEG. CARACAPPA:**

Madam Chair, just if I can go on. Thank you for answering that for me. And if anybody, if you know anybody --

**MS. FORD:**

I do.

**LEG. CARACAPPA:**

If you can get me any information. Because believe me when I tell you, I don't even use Off or Deep Wood Off --

**MS. FORD:**

Good for you.

**LEG. CARACAPPA:**

-- because of the DEET. I can't stand it. It makes me feel sick. So any alternative that I can find I personally use. But when we're talking about large municipalities and a deadly virus, I'd like to have that information as soon as possible. Thank you.

**MS. FORD:**

All right. You're welcome. Also, I want to say, like Marie and many of us here today, I read extensively on this subject, and as you can see, we share what we learn with each other and it's -- you know, we keep it up to date. And I think that it's -- we all must educate ourselves. There are no ultimate experts. We all must educate ourselves so that we can have valid input on decisions that affect our health, and so we consult many kinds of experts, and some of the best experts are the people that are having the experience. So when people talk about asthma attacks and etcetera, we need to listen to them, too.

Breast cancer activists have good reason to avoid pesticides. It is scientifically established that exposure to estrogen increases breast cancer risk. When we learn that many pesticides acted like estrogen in our bodies, estrogen mimickers, we naturally are concerned, since our bodies are not designed to metabolize these man-made chemicals as they do natural estrogen. The pesticides accumulate in fatty tissue. Breasts are especially susceptible to this accumulation, since they are 90% fat and have a large number of estrogen receptors. We should be applying more of what we learned from DDT's far-reaching effect on life and the environment to the rest of the pesticide family. Like DDT, Anvil has been found to be a hormone disrupter that is estrogenic. That kind of effect is not seen right after the dose as in a simple poison, but small amounts can interfere in cell growth at crucial times of development or after accumulation of toxins from many sources of exposure.

Many agency assurances sound hollow to us. When we hear that the risk is small, we cannot help but asking what risk to whom? We know that one size risk doesn't fit all. In addition to toxic body burdens at a variety of levels, there is the accumulative effect that pesticides have on immune systems that are already compromised by breast cancer treatment, such as chemo and radiation therapy.

When we hear that pesticides meet current regulatory standards we remember DDT. We have seen that manufacturers tests are not adequate, and like independent study and follow a field work in the real world.

We have learned much from the intense breast cancer studies of the past five years prompted by grass roots organizations fighting breast cancer. We have also learned that the knock -- lack of known effect does not mean that there is no known effect, but maybe an effect that has just not yet been studies. There is a greater gap in our knowledge of the effect of pesticides on children's cancer, neurological, asthmatic



and effects, not to mention the effects on wildlife and the environment. For example, there should be monitoring of the effect of storm water runoff from this week's extensive rains on lobsters and fish.

The Brentwood/Bay Shore Breast Cancer Coalition is committed to prevention of all possible sources of breast cancer, which includes the spraying of toxins intended to contain the West Nile Virus that will also increase the risk of breast cancer. But we are also committed to prevention of the West Nile Encephalitis, and the approaches that we recommend for this are priority in State funding to County reimbursements for prevention, public education, pesticide information, not only what is known, but what is not known, strategies to minimize the virus, testing which -- with the results back to individuals and communities. People's blood was taken, tested for West Nile Virus, and people weren't knowing if it tested positive or negative. I think that's unbelievable.

**LEG. CARACCILO:**

That was in New York City.

**MS. FORD:**

In New -- yes, in College Point. In College Point, the CDC. It's unbelievable that they would find out from my blood whether I have it or not and not tell me whether I have it or not. You know, I can't understand that, the problems with pesticides. No DEET, and we have a large list of other effective insect repellants that are natural, natural oils, like you're interested in. No Malathion. Malathion breaks down to Maloxon, which is 40 times more toxic than Malathion, with a greater stability, therefore, lasting longer than Malathion. No aerial spraying, since it's imprecise and will effect species other than the intended mosquitoes. Surveillance, and mentions Orange County, California as a model. Alternative strategies for habitat, and to test the birds for toxins as well as the virus. This is important, since toxins, including pesticides such as Malathion, and synthetic pyrethroids depress the immune system. It's imperative that an inspection of the possible relationship between the effect and virulence of the West Nile Virus be carried out. Our insecticide applications may be what's making the West Nile Virus so strong, where usually studies do not take into account multiple toxins and various body burdens. That's it.

**CHAIRPERSON FIELDS:**

Thank you.

**MS. FORD:**

I tried to make it short.

**CHAIRPERSON FIELDS:**

Thank you very much. Karen Miller?

**MS. MILLER:**

Thank you. I'm here actually representing a lot of people, one, my granddaughters to come, my family. I'm a resident of Huntington. I'm the founder of Huntington Breast Cancer Action Coalition, and I'm also personally proud to be working in the Huntington community, because we've put out the mosquito magnet.

I've changed what I was going to say a couple of times, so I can be really brief.

I think here, I was just listening to Elsa's testimony and the testimony of all the people who came before Elsa speaking in support of Resolution 1451, which I am also. Every one of these people are totally dedicated, passionate, educated experts, and Suffolk County has really been a leader, thanks to its entire Legislature putting these resolutions forward and inviting the experts to come and speak to it.

We know that certain pesticides are carcinogenic and mutagenic. Are you aware that there is a multi-million dollar national cancer study currently underway, the Long Island Breast Cancer Study Project? Pesticides and certainly combinations of pesticides are high on the list for scientific focus. It would be very responsible if all of you will meet the challenge of passionate, concerned Legislators and let all of your constituents know the risks of pesticides, even though, right now, some of them are currently being studied.

My cancer, I was diagnosed with breast cancer in 1987. It was estrogen and progesterone receptor positive. I was 42 years old, I had no known risks, and when I became an expert, a resident expert, and certainly an expert because I lost a body part, I found out that there were pesticides that act as endocrine disrupters. So this Long Island Breast Cancer Study Project, and most of the people in this room who have been advisors to the study, are here certainly supporting and encouraging the rest of the Legislature to back Jon Cooper's resolution that we look into alternatives, such as natural predators, mosquito magnets, or whatever else. And while that's underway, make a concerted effort to in every way that we can, maybe in your brochures, you know, that tell your constituents what you've done, to take extra cautions. Specifically, we're saying that when you have pesticide spraying, perhaps it's not only that people should be aware of when the spraying is and stay indoors, but perhaps for days after, they should be encouraged to keep their shoes off, not to bring their shoes back in the house. That's not alarming, that's not a terrible thing to say, but it's educating the public that they're to utilize every caution necessary while the pesticides are being studied and alternatives are being tested. Thank you very much.

**CHAIRPERSON FIELDS:**

Thank you. Legislator Foley.

**LEG. FOLEY:**

Thank you very much. And on your last point, it's a question that many of us who are say avid gardeners, and particularly vegetable gardens, there's always this -- again, it's not to be unduly alarmist, but it's always been an issue that if you have a vegetable garden of a particular size, small or large, and if they're spraying in a given area, and again, it's not to be unduly alarmist, but it runs through your mind, you know, what about the lettuce, what about the tomatoes, what about all the other things that you grow, are they still edible? Do you have to wait seven days afterwards? Are there residues from these things? So, again, these are, I would say, natural questions that just flow from people who are trying to be informed. And, again, it's not to make people unduly alarmed, but that should also be part and parcel of the public information campaign, that the regulatory bodies and the departments that undertake these spraying programs, they really do need to also answer and respond to those questions.

**MS. MILLER:**

Thank you so very much.

**CHAIRPERSON FIELDS:**

Thank you very much. Nigel Lea?

**MR. LEA:**

How do you do? I'm here this morning to support the Bill 1451, and I support, again, a maximum --

**CHAIRPERSON FIELDS:**

Can you just bring the microphone a little closer.

**MR. LEA:**

Okay.

**CHAIRPERSON FIELDS:**

And state your name for the record.

**MR. LEA:**

Yeah. My name is Nigel Lea, and I live in Northport. I support the maximum investment in nontoxic mosquito prevention techniques and research into the effects of these pesticides. I'm not an entomologist, but we do know that the Mosquitoes are a fast breeding insect that will reproduce rapidly in the small puddles of water. That means it will -- can breed in people's gutters, receptacles, children's toys in the backyard that collect rainwater. Seeing this, I can't see how overall of a long-term period, these pesticides would be an effective, safe or feasible long-term solution, because knowing this, you would have to eliminate the mosquito bites, you will have to bombard people's houses and backyards with these sprays to kill those mosquitoes, and any mosquitoes that aren't hit by the spraying are -- manage to survive the spraying will rapidly reproduce and you will have to go back and spray again. It's a vicious cycle that requires more and more spraying. Therefore, I think the logical thing to do is to conduct research into these other mechanical predatory species methods of mosquito control. One of the drawbacks of the mechanical methods, the mosquito magnet, for instance, to say it's expense at the moment, but if municipalities like Suffolk County invest in these devices, it will tend to bring the price of it down, and, eventually, individual homeowners would be more inclined to probably buy these things for their own use. And this is supposed to control an acre of area, this device, so that would be very useful.

So, at the present time, Long Island is overdeveloped and greatly oversaturated with all ranges of chemical compounds and other pollutants leaching into the soil and groundwater, and we cannot tolerate, I think, an additional load of these sprays being poured on the land year after year. So I think we have to find another method to tackle this problem. Basically, that's what I have to say. Thank you.

**CHAIRPERSON FIELDS:**

Thank you very much.

**LEG. FOLEY:**

Thank you very much.

**CHAIRPERSON FIELDS:**

It's 11:15, so that was very timely. Thank you. We're going to place a call to Lieutenant Mark Bannon from Palm Beach County Sheriff's Department.

**[The Following Telephone Conference was Held Between Lieutenant Mark Bannon and the Health Committee]**

**LIEUTENANT BANNON:**

Community Involvement Team, Lieutenant Bannon.

**CHAIRPERSON FIELDS:**

Hi. Lieutenant Bannon, this is Legislator Ginny Fields calling from Suffolk County, Long Island in New York.

**LIEUTENANT BANNON:**

Good morning.

**CHAIRPERSON FIELDS:**

Good morning. How are you?

**LIEUTENANT BANNON:**

Fine, thank you.

**CHAIRPERSON FIELDS:**

Good. We have a panel of Committee Members for the Health Committee of the Suffolk County Legislature, and we had some questions that we thought we'd like to pose toward your knowledge of the smoking ban that you have for minors.

**LIEUTENANT BANNON:**

Yes, ma'am, I'll be happy to help you with whatever you can -- whatever I can.

**CHAIRPERSON FIELDS:**

I think the first question is what is the population of where you --

**LIEUTENANT BANNON:**

We are just over a million. We passed a million this year, in fact.

**CHAIRPERSON FIELDS:**

Okay. So that's comparable to our population. And the people who enforce this smoking ban that you have for minors, who would they be?

**LIEUTENANT BANNON:**

Police officers and people -- now, first of all, this is not a local ban, what this is is a State statute.

**CHAIRPERSON FIELDS:**

Right.

**LIEUTENANT BANNON:**

So we're -- we enforce it as police officers and the Department of Alcoholic Beverage and Tobacco, which is a State department, they enforce it also.

**CHAIRPERSON FIELDS:**

And it's geared at under 18?

**LIEUTENANT BANNON:**

It is geared in two different directions, actually, we have two separate programs. The first is the possession of tobacco products by someone under 18, and the second is we also use decoys to go into stores and attempt to buy tobacco products from clerks, which is a separate statute, that's a criminal statute.

**CHAIRPERSON FIELDS:**

Okay. We have the same thing here. And so, when you target children under 18, you write a violation?

**LIEUTENANT BANNON:**

Yes, ma'am. We issue them a civil citation that gives them a fine to pay, or they can go to court, their choice.

**CHAIRPERSON FIELDS:**

So they pay the fine or they go to court?

**LIEUTENANT BANNON:**

Yes, ma'am.

**CHAIRPERSON FIELDS:**

What happens when they go to court?

**LIEUTENANT BANNON:**

Well, that's up to the judge. I mean, if they want to argue the case, then they have to, frankly, prove that they weren't in possession of tobacco products.

**CHAIRPERSON FIELDS:**

Okay. And what --

**LIEUTENANT BANNON:**

We've never -- we have not had one go to court in almost two years of doing this, frankly

**CHAIRPERSON FIELDS:**

Do you have any statistics on what the bill has done to alter the use of tobacco products by minors?

**LIEUTENANT BANNON:**

No, I don't. I have statistics on the amount of arrests we've made, but I don't have any on how effective it's been.

**CHAIRPERSON FIELDS:**

You arrest people?

**LIEUTENANT BANNON:**

Well, not -- we list them as arrests, but, technically, it's a civil violation. It's like an infraction on a traffic ticket.

**CHAIRPERSON FIELDS:**

And what happens -- what kind of -- what happens to them when they get that violation?

**LIEUTENANT BANNON:**

If it's their first possession, they're given a \$25 fine and then they are -- if they have a driver's license, it's suspended for 30 days.

**CHAIRPERSON FIELDS:**

Do you have a smoking cessation program for these kids?

**LIEUTENANT BANNON:**

That's -- we don't have that now. When we got the tobacco award and the State decided to go into this, they went into it two different levels. We're only involved in the enforcement side of it. What programs the State has in terms of cessation, I don't know. But I know that the majority of that money was put aside for that, very -- a very small portion of it was put aside for enforcement.

**CHAIRPERSON FIELDS:**

So this law was started what year?

**LIEUTENANT BANNON:**

The law has been on the books for a long time. The enforcement programs, the special programs came into effect in 1999, when we received the -- we were one of the first states to receive an award from the tobacco companies from all the lawsuits that have gone on. There was actually a settlement.

**CHAIRPERSON FIELDS:**

Did you publicize the law?

**LIEUTENANT BANNON:**

Well, I don't -- you know, you're really asking the wrong person about that specifically, because that's all done by the State Department of Alcoholic Beverages and Tobacco.

**CHAIRPERSON FIELDS:**

All right. Then on a personal note --

**LIEUTENANT BANNON:**

Did we publicize that we would be doing this?

**CHAIRPERSON FIELDS:**

Right.

**LIEUTENANT BANNON:**

Yes, ma'am.

**CHAIRPERSON FIELDS:**

Okay.

**LIEUTENANT BANNON:**

The local office of Department of Alcohol and Tobacco has been on a campaign stating that this would be enforced.

**CHAIRPERSON FIELDS:**

In your own experience -- or I'll give you my experience. As I drive around now, I can go in front of a movie theater, in front of a 7 -- we have local convenience stores called 7-Elevens, near schools, places where kids kind of hang out, and they just puff on their cigarettes and blow smoke and there is no penalty, no law that prohibits them from doing that, and I'm assuming that you had that kind of experience yourself.

**LIEUTENANT BANNON:**

Yeah. Well, the law was there, but, frankly, it wasn't enforced very well, and the main reason was until this program came about, there was no specific citation for that, so you had to do what we call a juvenile referral, which generally deals with crimes, but sometimes deal with local ordinance. That's a very long and involved process.

**CHAIRPERSON FIELDS:**

Do you --

**LIEUTENANT BANNON:**

However, with these citations, we've made that process much easier.

**CHAIRPERSON FIELDS:**

Do you see a difference now with kids smoking?

**LIEUTENANT BANNON:**

My answer -- I'm sorry. My answer to you would be this. I can't -- I can't tell you whether there's a difference out here. What I can tell you is this is -- we've gone through contracts. We contract with the State for a certain number of hours in a two-month period. Now, we've gone through three contracts and each time, the number of citations we've issued to juveniles has been reduced significantly. But I can't say that that's not a displacement issue. We still -- we still target areas around schools, particularly where kids congregate, and, frankly, this year, under this contract, rather, we've more heavily enforced the retail outlets, we've gone after them a lot harder than we had in the past.

**CHAIRPERSON FIELDS:**

Good.

**LIEUTENANT BANNON:**

So a lot of our efforts were to that. But I can tell you that there's a lot less citations being given now, but that doesn't mean that I've -- that anything's been solved, we may have just displaced the problem to where now they're smoking in places where they know we're not looking.

**CHAIRPERSON FIELDS:**

Okay. Well, that's part of my plan, is that the way I see, it is cool to smoke in front of your peers, and if it now becomes a law that you can't, it's not so cool and you have to hide it, and then you don't look so cool if you're hiding it.

**LIEUTENANT BANNON:**

Well, yeah. Not only that, you've got -- you've got the other issue of a \$26 fine, and then you've got an issue of a license suspension. They get a 30-day suspension, and if they're caught for a second violation within 12 weeks of the first violation, it goes to 45 days.

**CHAIRPERSON FIELDS:**

What if they're 14 and they don't drive?

**LIEUTENANT BANNON:**

Well, they're 14, then they just get the fine. But we also -- the Department of Alcoholic Beverage and Tobacco also follows up to the parents with a letter advising them that the child had received a citation.

**CHAIRPERSON FIELDS:**

What kind of parent participation do you get?

**LIEUTENANT BANNON:**

Well, you know, oddly enough, we get both ends. I've had -- I had one, two -- two or three different people call me and their complaint was that we took four packs of unopened cigarettes from this gentleman and what about his \$12? And, really, that I explained to him, "You know, I think you're looking at the wrong issue here, sir. We're not giving them back. "

**CHAIRPERSON FIELDS:**

So your cigarettes are only \$3 a pack?

**LIEUTENANT BANNON:**

Well, back -- back when this guy called, they were. On the other hand, I've had several parents call me and say how much they appreciate it. Now, most of the complaints we have gotten were that we were going too hard after the kids and not hard enough after the retailers, and that's why we tried to tailor our program under this contract to go more after the retail outlets. We made 47 retail arrests, and those are arrests, by the way, that's a misdemeanor, in two months.



**CHAIRPERSON FIELDS:**

Okay. Any questions? Legislator Caracciolo.

**LEG. CARACCILOLO:**

Thank you. Lieutenant Bannon, thank you for taking time this morning and discuss this issue with us. Several questions. The number of citations issued since the program went into effect, and when was the effective date?

**LIEUTENANT BANNON:**

See, we do this by contract. I'm going to have to guesstimate these for you. The program started in mid '99, around June '99, and it is a two-month contract, or a certain amount of hours within that two-month period, and then we have to wait for a new contract, which, frankly, takes about two months when you're dealing with the State, so we've had on and off periods. I would say, looking at what we've got here, I would say we're very close to a thousand over that period, a year-and-a-half.

**LEG. CARACCILOLO:**

Do you have any demographic material that you could share with us to how many 18 -- what your population is for 18 and under?

**LIEUTENANT BANNON:**

No, I don't have a breakdown of that, because, frankly, no one's ever asked me for it, but I might be able to come up with one.

**LEG. CARACCILOLO:**

Okay. I'm somewhat familiar with Palm Beach County. How many square miles is the county, and how many different villages or cities, towns, or whatever you may call them there?

**LIEUTENANT BANNON:**

There are 38 municipalities. And, you know, I honestly don't know. I know we're the largest land mass county east of the Mississippi River, and I don't have the exact figures on that.

**LEG. CARACCILOLO:**

Okay. Do you receive any funding from the State or your local government for this program?

**LIEUTENANT BANNON:**

The entire -- the entire program is underwritten by the State.

**LEG. CARACCILOLO:**

And what are the program costs?

**LIEUTENANT BANNON:**

We -- I just billed them for this two-month period, about \$57,000, but I have over 100 deputies working this program. We're one of the largest in the State that are doing this program.

**LEG. CARACCILOLO:**

The -- obviously, \$57,000 doesn't pay salaries and benefits for 100 deputies, so --

**LIEUTENANT BANNON:**

Well, they don't work all at the same time. The way it works is I give -- I get a breakdown from my accounting people as to the 100 deputies that we've trained to do this program, and they do it on an overtime basis, not a work basis. We charge the State an average cost at time-and-a-half, because it is an overtime issue, and if we had -- it really does cover it, because the chances that you're going to get all the senior people working and none of the junior people are, frankly, pretty rare, because the junior people need the money more, they make less money on a whole. So it really does -- I mean, they cover every bit of our costs.

**LEG. CARACCILO:**

The two-month program that amounted to \$57,000, how many man hours?

**LIEUTENANT BANNON:**

Hold on one second, all right, let me pull that out. I thought I had it here. I remember looking at it this morning because I thought that might be a question. What we do is we use them in what they call units, and a unit is 10 man hours at two deputies, five hours each. Let me pull out a copy of an invoice that I just sent them, which was the balance of that amount at \$36,000. At \$36,117 we put in 45 units, which is 450 hours, in school proximity. Now, that's where you go and look for the actual juveniles with the tobacco. We put in 24 units, which is 240 hours of retail compliance enforcement, and for that amount, we charged them 36, \$36,000. We also pay our underage operatives that go in, we pay them \$25 flat fee for the five hours they work.

**LEG. CARACCILO:**

I understand in Florida the Sheriff's Departments are the primary local public safety unit. In your county how many deputies do you have? And I'm talking about for street patrol or law enforcement. I don't know if you have a correctional --

**LIEUTENANT BANNON:**

We have a corrections side but our law enforcement is -- I don't know how many billets we have full from one day to the next, but we're approximately 1,015.

**LEG. CARACCILO:**

Okay. Thank you very much.

**LIEUTENANT BANNON:**

You're welcome.

**CHAIRPERSON FIELDS:**

Any other questions?

**LEG. FOLEY:**

I have some. Lieutenant?

**LIEUTENANT BANNON:**

Yes.

**LEG. FOLEY:**

Hold on a second. Can you hear me now?

**LIEUTENANT BANNON:**

Yes, sir.

**LEG. FOLEY:**

This is Legislator Brian Foley. I have more of a procedural question for when your staff does go out and sees a violation by a minor, vis-a-vis this particular law, what kind of difficulty have they encountered in getting the names of the minors, once they've identified themselves as law enforcement officials? Have the minors been reluctant to give their names? Or just walk through us the different scenarios that your staff has encountered when they have asked for the names of these minors after the officers have properly identified themselves.

**LIEUTENANT BANNON:**

I would be happy to. Because this is a civil citation and because we're dealing with juveniles, we will not take them into custody unless they're breaking an actual criminal statute, so -- and this has not been a big issue, because, as we've trained these guys, it's all on how you talk to these kids.

**LEG. FOLEY:**

Right.

**LIEUTENANT BANNON:**

If they think that they have to do this, then they'll do it. Now, we had an issue of a -- thank you. There's -- the Department of Alcoholic Beverage and Tobacco representative just walked in. Hang around a minute, Tom. If you make contact with a juvenile that you see in possession of a cigarette, you know, you identify yourself, you tell him he's in violation, you issue him a citation. Assuming he absolutely refuses to give you any information --

**LEG. FOLEY:**

Yes.

**LIEUTENANT BANNON:**

-- then they walk. Now, that's very rare. Number one, you can talk to any of the kids around him, somebody will give you this kid's name. You can get a license plate off a car if he's leaving. I mean, there are some investigative techniques we can find, and it has not been a major problem, has it, Tom, for that? We've not-- we've not had that problem at all. However, that would be the scenario. If they absolutely refuse to cooperate, then we let them leave.

**LEG. FOLEY:**

But, in your experience --

**LIEUTENANT BANNON:**

It has not been a problem, no.

**LEG. FOLEY:**

Okay. Okay. Thank you.

**LIEUTENANT BANNON:**

You're welcome.

**CHAIRPERSON FIELDS:**

Legislator Caracappa.

**LIEUTENANT BANNON:**

Yes, ma'am.

**LEG. CARACAPPA:**

Thank you, Lieutenant, for speaking with us this morning. My name is Joseph Caracappa, I'm a member of the Legislature and a member of the Health Committee, and I appreciate your time. Just to speak briefly about some of the things you've said. You have 100 deputies working on this program within your jurisdiction?

**LIEUTENANT BANNON:**

We have 100 trained. Now, throughout the various contracts, some have worked and some just -- some work more than others, but we have 100 that are trained.

**LEG. CARACAPPA:**

When you say "trained, " they're -- are they on regular duty, or do they go out and do specific detail as it relates to this program?

**LIEUTENANT BANNON:**

Well, the way it works is they all have their regular jobs, and in their off-duty time, they are authorized to do this. Now, the reason I say "trained " is the Department of Alcoholic Beverages and Tobacco, specifically Tom Hagler, who happens to have walked in my office this morning, he does the training, because the Department has a requirement that if you engage in this contract, you have to be trained by their representatives as to what the parameters of the investigation are. And one of the things we talk about is if a kid will not give you his ID. Look, you know, you do everything you can to find out who he is, and in the final analysis, if he leaves, he leaves.

**LEG. CARACAPPA:**

Let's say you see a juvenile with -- smoking a cigarette or puts a pack cigarettes in his coat pocket and then he's approached, he or she is approached by an officer, is that some sort of ground or cause to issue a ticket immediately or automatically, or can the kid still walk, if he denies you any access to his person?

**LIEUTENANT BANNON:**

Well, the way that works is we're going to issue him a citation, particularly if we can get his name and everything, he's going to get the citation and we're going to say to him, "You have a pack of cigarettes in your pocket, you are not allowed to possess cigarettes, I need you to hand them over. " If he refuses to hand them over, then he keeps them, because we are not going to search him. We have no cause to search him.

**LEG. CARACAPPA:**

Okay. That was my question. You have no right to search them, even though --

**LIEUTENANT BANNON:**

Well --

**LEG. CARACAPPA:**

Even though you see them put the cigarettes --

**LIEUTENANT BANNON:**

Right.

**LEG. CARACAPPA:**

-- or smoking a cigarette --

**LIEUTENANT BANNON:**

Right. Because what they are doing is not breaking a criminal statute, they're breaking a civil statute, and that's a completely different matter.

**LEG. CARACAPPA:**

Okay.

**LIEUTENANT BANNON:**

But, again, this has not been a problem, because it's all on how you -- how you talk to children. If they believe that they have to turn it over, then they will.

**LEG. CARACAPPA:**

I understand where you're coming from. And I just had to make a comment on how you look for your reimbursement. I thought it was genius that you put your deputies on overtime to get more reimbursement from the State. So I think it's great.

**LIEUTENANT BANNON:**

Well, you have to, because if you get -- if you get the same ten deputies working everything, then they're in to time-and-a-half, and if they're at the high end of your salary structure -- you know, the one thing we don't do here and the State has not changed it for us, we will not lose money on this program.

**LEG. CARACAPPA:**

Right.

**LIEUTENANT BANNON:**

And what we do with money that we may have left over is use it for other programs, since this unit runs a lot of different programs.

**LEG. CARACAPPA:**

That's an interesting point you just made. When you say other programs with the leftover money, if there is any, it has -- does it have to be applied to smoking programs, or can you use it for any general purpose in the municipality that you belong to?

**LIEUTENANT BANNON:**

Well, the only money that -- all money paid to the Sheriff's Office goes into the County general fund. Now, the salary money, the accounting people call over there and say we need so much of this money to cover the salaries on this program. What is left I request from them to run one of the other youth programs that I have or for using it in there. They can certainly deny me that request, but they haven't, because they realize that that's what that money was originally brought in for.

**LEG. CARACAPPA:**

Right.

**CHAIRPERSON FIELDS:**

I missed that. Is that other programs in tobacco, or other youth programs in some other --

**LIEUTENANT BANNON:**

Other youth programs. I request money from the general fund to reimburse what other costs I have here, but also to be able to use it in other youth programs, and that's up to the county, whether they want to give that to me, because it is under the general fund, but I haven't had a problem in that regard. And, really, we've been pretty good about this. We have -- we have really been pretty close where we haven't had tremendous funds left over anyway.

**LEG. CARACAPPA:**

I had one more question for me, Lieutenant. How long has the -- have you been enforcing the law in your area?

**LIEUTENANT BANNON:**

Myself personally?

**LEG. CARACAPPA:**

Well, your unit or your municipality.

**LIEUTENANT BANNON:**

Oh, in this law?

**LEG. CARACAPPA:**

'97, when it came out, is that --

**LIEUTENANT:**

Hold on one second.

**CHAIRPERSON FIELDS:**

'99 --

**LEG. CARACAPPA:**

'99?

**CHAIRPERSON FIELDS:**

-- I thought he said. I think it's '97.

**LEG. CRECCA:**

Well, maybe they've only been a contract agency since '97.

**CHAIRPERSON FIELDS:**

The State law is '97.

**LEG. CRECCA:**

I have one question as well.

**LIEUTENANT BANNON:**

The actual law came into effect -- the Legislature passed it in '98, but it actually came into effect, I assume, in early '99, then.

**LEG. CARACAPPA:**

My question relating to that is how many -- I don't know if this was asked earlier, I had to step out of the room. How many citations have been given in that time frame? And --

**LIEUTENANT BANNON:**

I can't tell you Statewide. I can tell you that we're --

**LEG. CARACAPPA:**

Ballpark in your area.

**LIEUTENANT BANNON:**

We're very close to a thousand --

**LEG. CARACAPPA:**

A thousand.

**LIEUTENANT BANNON:**

-- citations over the course of three contracts.

**LEG. CARACAPPA:**

And just let me clear something up for myself. When you state contract agency, that you're acting as a

contract agency for the State to enforce this program, are any municipalities through the State of Florida using anybody else other than law enforcement as a contract agency?

**LIEUTENANT BANNON:**

That I can't answer. I do know that every -- that I'm not -- not every, several municipalities here are also under contract with the Department of Alcoholic Beverage and Tobacco for their areas.

**LEG. CARACAPPA:**

So it's not mandated in the State legislation that a law enforcement agency be used to --

**LIEUTENANT BANNON:**

It may well be, and let me -- let me find that out for you right now? Does this law mandate under the settlement that only law enforcement can be used for this purpose? In other words, they don't contract with any private people to do this, right? Only law enforcement can be under the statute, so it is only law enforcement they contract with.

**LEG. CARACAPPA:**

Thank you very much.

**LIEUTENANT BANNON:**

You're welcome.

**LEG. CRECCA:**

Lieutenant, Legislator Andrew Crecca, and I just have I think one question for you.

**LIEUTENANT BANNON:**

All right, sir.

**LEG. CRECCA:**

Now, when you're not under contract, I know you said there's periods in between, like two months sometimes to get a new contract.

**LIEUTENANT BANNON:**

Yes.

**LEG. CRECCA:**

You could, I'm not saying you do, first of all, you could enforce the law, because it's State law, you could have your officers on patrol, if they saw somebody smoking, could go and issue them a civil summons; is that correct?

**LIEUTENANT BANNON:**

And they do, sir.

**LEG. CRECCA:**

Oh, they -- that was my --



**LIEUTENANT BANNON:**

Oh, yes, sir.

**LEG. CRECCA:**

-- follow-up question..

**LIEUTENANT BANNON:**

This is strictly a program for overtime to concentrate on it.

**LEG. CRECCA:**

To beef up enforcement?

**LIEUTENANT BANNON:**

Yes.

**LEG. CRECCA:**

Right, okay.

**LIEUTENANT BANNON:**

But all of the officers are aware that they all have citation books or access to them, and all of them are aware of their opportunity to enforce this.

**LEG. CRECCA:**

Right. So they can -- that was my question, that's all I had. Thank you.

**LIEUTENANT BANNON:**

You're welcome.

**LEG. CRECCA:**

Thanks for your time.

**LEG. FOLEY:**

Yeah, hello. Lieutenant, this is Legislator --

**LIEUTENANT BANNON:**

Hello.

**LEG. FOLEY:**

This is -- Lieutenant.

**CHAIRPERSON FIELDS:**

Hold on. We'll dial him back.

**LIEUTENANT BANNON:**

Community Involvement, Lieutenant Bannon.

**CHAIRPERSON FIELDS:**

Hi. We lost you.

**LIEUTENANT BANNON:**

That's okay.

**LEG. FOLEY:**

Hello, Lieutenant. This is Legislator Foley --

**LIEUTENANT BANNON:**

Yes, sir.

**LEG. FOLEY:**

-- speaking again here. Question. The training hours involved for your staff, how many training hours per person?

**LIEUTENANT BANNON:**

We train them in one sitting and it took about two hours just to go over everything, the various statutes, to make sure they understood the citations and how to properly fill them out.

**LEG. FOLEY:**

And so was it two hours in a classroom setting?

**LIEUTENANT BANNON:**

Yes, sir. And, in fact --

**LEG. FOLEY:**

For all of the staff, not on an individual basis?

**LIEUTENANT BANNON:**

No. It was individually with all -- everybody that wanted to -- I take it back, we had more than one training session. But everybody that wanted to enter this program had to go through that two-hour training. And, in fact, the Department of Alcoholic Beverages and Tobacco did reimburse us those two hours of training time, also.

**CHAIRPERSON FIELDS:**

Might I ask a quick question on that? Do you have kind of an outline of that training program, a short, brief one, or no?

**LIEUTENANT BANNON:**

I could certainly get you one, ma'am.

**CHAIRPERSON FIELDS:**

Is it possible for you to fax it over to my office?

**LIEUTENANT BANNON:**

Sure.

**CHAIRPERSON FIELDS:**

Area Code 631-854-4728, and this is Legislator Fields.

**LEG. FOLEY:**

49.

**CHAIRPERSON FIELDS:**

49. What did I say? 854-4928.

**LIEUTENANT BANNON:**

Okay. Area Code 631-854-4928?

**CHAIRPERSON FIELDS:**

Correct.

**LIEUTENANT BANNON:**

Okay.

**CHAIRPERSON FIELDS:**

Thank you, I appreciate that.

**LIEUTENANT BANNON:**

Oh, you're welcome.

**CHAIRPERSON FIELDS:**

Do we have any other questions? Well, Lieutenant Bannon, it's been a pleasure to speak with you, and I appreciate everything that you did. And I think on behalf of the committee here, we all appreciate your expertise and all of the information you've shared.

**LIEUTENANT BANNON:**

Well, you're very welcome. And if you have any questions about the program itself, the Department of Alcoholic Beverage and Tobacco has people set aside just to run this program, because it is so big statewide in Tallahassee. What I'll do is when I fax this to you, I'll put their number down, so you'll have a contact.

**CHAIRPERSON FIELDS:**

Thank you.

**LIEUTENANT BANNON:**

All right?

**CHAIRPERSON FIELDS:**

Thank you so much.

**LIEUTENANT BANNON:**

You're very welcome.

**CHAIRPERSON FIELDS:**

When you give up your career there, maybe you'd like to come and work here.

**LIEUTENANT BANNON:**

I've got six years left, but thank you.

**CHAIRPERSON FIELDS:**

Thank you so much.

**LIEUTENANT BANNON:**

Take care.

**CHAIRPERSON FIELDS:**

All right. Bye, now.

**LEG. CARACAPPA:**

Bye-bye.

**[Telephone Conferenced Ended]**

**CHAIRPERSON FIELDS:**

Just for the record, I have never spoken to either one of those people, because I wanted it to be as fresh and clear for myself, as for the rest of the committee. And I wanted to thank Suffolk County for providing us with this up-to-date equipment, and it worked well. And thanks very much.

Okay. Going back to the public session, public portion, Bob DiBenedetto from EarthSave, Long Island, New York.

**MR. DIBENEDETTO:**

Greetings. Is this the -- it's not on?

**MRS. MAHONEY:**

Right on top.

**LEG. CARACAPPA:**

Right on top, towards you. Very good.

**MR. DIBENEDETTO:**

There we go. I just have a few words to say to you. First of all, thank you for considering this bill. Those of us in the health and environmental community see this as very necessary.

Last year, we put out a petition and we have gotten close to five, 10,000 signatures since then, and this

petition covered several issues, one of which was the training of licensed pesticide applicators in the use of nontoxic pest control in lawn garden maintenance as part of their licensing requirement. Another one of these issue that we were calling for was due notification for all grounds pesticide application and air application, including neighbor notification by commercial applicators, and notification of parents for all school applications. As you see, in the last year, these have been handled, or they're starting to be handled, so we've made a lot of progress in Suffolk County and New York State. There was one other thing on this petition and that was the allocation of any resources necessary to vector control departments for research, implementation and expansion of nontoxic alternatives and preventative measures for their pest management programs. So what we're calling for is specifically what you're considering today. This was a year ago.

We want to be on the cutting edge here in Suffolk and in New York State. All over the world, scientists are beginning to question both the efficacy and the safety of pesticides. In New York State, I've said it many times, we're using each year close to 17 million pounds and 2.5 million gallons of pesticides, and these are dangerous pesticides, which -- with EPA listings as known carcinogens, possible carcinogens, suspected carcinogens. Pesticides are not safe. We've seen the National Institute of Health come out with studies saying that children who have lawn pesticides used in their homes has six times the chance of certain cancers. They're dangerous and we all know that by now. All major health and environmental organizations around the world tell us this.

We have an opportunity to remain on the cutting edge, to look at alternatives, to look at things that other people aren't looking at. And from our perspective, we would like to see not only alternatives to pesticides which kill mosquitoes, but we would like to see alternatives looked into that repel mosquitoes, such things as garlic barriers. Because, in many instances this year, we've seen that pesticides have not been sprayed because of a potential health threat, they've been sprayed specifically because of a nuisance. This isn't really acceptable when you weigh the problems with pesticides against the problems of nuisance mosquitoes, because every individual has the right and the ability to use nontoxic repellents on their own body. But now we're seeing that there are nontoxic repellents for their own property and perhaps for larger areas. We also have control devises such as the mosquito magnet and the dragonfly, which could come into play. All of these need to be woven into a picture which protects the community from any threat that might come from mosquitoes, while keeping the threat of pesticides at a minimum and eventually doing away with the dangerous pesticides. Thank you.

**CHAIRPERSON FIELDS:**

Thank you. Brian, can you just --

**LEG. FOLEY:**

Sure.

**CHAIRPERSON FIELDS:**

-- call the next one up.

**MR. DIBENEDETTO:**

That's makes me feel really important.

**CHAIRPERSON FIELDS:**

No, no.

**MR. DIBENEDETTO:**

Just kidding.

**CHAIRPERSON FIELDS:**

I'm right here.

**MR. DIBENEDETTO:**

I'm just kidding. That was a joke, sense of humor type of thing.

**LEG. FOLEY:**

Bob, the Chair has the distinct ability to talk and listen at the same time. So rest assured that your final remarks in you're articulate presentation were duly listened to and acknowledged by the Chair.

**MR. DIBENEDETTO:**

Okay. Thank you.

**CHAIRPERSON FIELDS:**

They were. I just wanted to make sure that he did not leave the building, because I need to speak to him. Thank you.

**MR. DIBENEDETTO:**

I really was kidding. Thank you for your attention, and thank you for giving this bill --

**LEG. FOLEY:**

Is that for us now or --

**MR. DIBENEDETTO:**

Well, actually, I'm not going to give you these yet.

**LEG. FOLEY:**

How about a copy?

**MR. DIBENEDETTO:**

Sure, absolutely.

**LEG. CARACAPPA:**

Give us a copy and then update us as time goes on.

**MR. DIBENEDETTO:**

Will do.

**CHAIRPERSON FIELDS:**

Thank you.

**MR. DIBENEDETTO:**

Thank you.

**CHAIRPERSON FIELDS:**

Steven Restmeyer.

**MR. RESTMEYER:**

Hello. My name is Steven Restmeyer and I am the President of the Long Island Organic Horticulture Association. And I'd like to thank you for this opportunity to speak on behalf of my group and also the Huntington Breast Cancer Action Coalition, which I am a member of, regarding Resolution 1693, adopting a local law county-wide to -- for pesticide notice provisions, the Pesticide Notification Law. This is an important law to adopt on Long Island because of the density of population. If one neighbor is spraying and the neighbors that are not being sprayed are not notified, the drift can get into nurseries, backyards, playgrounds, swing sets, etcetera.

I have -- I'm a landscaper, an organic landscaper here on Long Island, and I have clients who have had their children's swing sets contaminated by Malathion and Orthene, and other very toxic chemicals when they had no idea that these sprays were being used. So I would urge you all to vote yes on that and adopt that law.

And I would also like to comment on Resolution 1451, to test pesticide alternatives, to not only control -- here it says to control adult mosquito populations, but I think we should go further than that and use the situation at hand as a model for other situations, including and not limited to gypsy moth control, which after the aerial sprayings that have gone on in the last year, I would expect pesticide induced infestations of gypsy moth within the next two years due to the fact that the natural controls, including Trichogramma wasps have been largely eliminated in areas, in Huntington especially. Now, these Trichogramma wasps have been --

**CHAIRPERSON FIELDS:**

Can I just ask you why they've been eliminated, the wasps?

**MR. RESTMEYER:**

From the spraying.

**CHAIRPERSON FIELDS:**

Fine.

**MR. RESTMEYER:**

They're very delicate creatures. They're tiny, tiny, little things and they parasitize the eggs of gypsy moth. And that this has been my main control of gypsy moth for the last 10 years and it works, it works like a charm. The last outbreak that Long Island saw left many of my client untouched in little pockets where the gypsy moth remained under control.

And the important aspect of biological insect control is to establish a balance in the ecosystem, and when pesticides are used indiscriminately, they throw off that delicate balance. So we need to look more at balancing and less at eradicating, and I think-- there lies the key.

Another -- another problem that the sprayings have contributed to is the decline in songbird populations. Songbirds have very little blood volume, and when aerial sprays are done, especially with helicopters flying low, the birds are flushed out, fly through the drift, and then perch and start to preen, and they scrape the pesticide residue off their-- of their feathers and consume it. And I believe that many of the birds that were found dead after the initial spraying last year may have been contaminated by pesticides, and that, I think, is why any dead birds found now should also be tested for pesticide poisoning. And if the pesticides are not killing the birds, they're at least compromising their immune system and making them more susceptible to the West Nile Virus and making them a more effective vector for the virus.

And I would certainly be very happy to be part of these model projects. I've studied the Biointegral Resource Center material for the last ten years. They're located in California, and they have scientific research backing up many of the alternatives that are nontoxic, including insect repellents, including mint oil, orange oil, basil oil, fennel oil, with data, research data showing the efficacy of these food grade products that could be applied to the skin, and I've been using them myself. I make up my own batch by the gallon and my family and friends all use it and swear by it, and it's nontoxic. So there are alternatives. Very good. Thank you.

**LEG. CARACAPPA:**

Thanks.

**CHAIRPERSON FIELDS:**

Thank you very much.

**LEG. CARACAPPA:**

Thank you for your time.

**CHAIRPERSON FIELDS:**

Dr. Bradley, can we ask you to come up and maybe make a quick presentation of the status of our spraying, and also go into your presentation about the Health Center.

**COMMISSIONER BRADLEY:**

Just in terms of a West Nile update, we first had positive birds identified. We have been collecting birds for several months and sending appropriate birds up for testing. We've been testing mosquitoes for several weeks now. We first had positive birds in Lindenhurst, West Babylon, and then about a week later, in Wading River. And the identification of the birds by themselves did not trigger any spraying by the Health Department. We intensified mosquito surveillance in the areas of the birds.

Nuisance spraying by Vector Control has been going on for several weeks, and I think there's some confusion when they see that the County is doing spraying that that's actually for West Nile, and it hasn't been. There's only been three targeted sprayings that have occurred for West Nile. Once we had the positive birds and we intensified mosquito surveillance, we found infected mosquitoes in association with



the birds West Babylon and Lindenhurst, and there was localized spraying, truck spraying done at those locations. We also found infected mosquitoes at Bergen Point in the area of the golf course, and we did spraying associated with that. We have not found infected mosquitoes or high numbers of mosquitoes associated with the dead bird in Wading River, and there's been no control that's gone on at that site.

Just this last week, we found infected mosquitoes at Blydenburgh State Park, and we did spraying Saturday night for that. There were 12 pools identified from the Bellmont Lake State Park area. It seems to be a very large area for breeding and also infected mosquitoes, and that's an area where there's some planned spraying to go on, but it has not occurred because of the weather.

That's kind of where we are. We have, I believe, 18 positive pools of mosquitoes. We've had three positive birds. We've sent between 250 and 300 birds up to the State, and we have another several hundred that are in the process of either being picked up or packaged for being sent up to the State, just to have an idea where the virus is, and that's when we go out with the press releases. And I've had two staff members who have been working full-time with the nuisance notifications, let people know when there's going to be nuisance spraying in their communities, and also with West Nile for, number one, just to let people know that there is a virus in the community and they should take special precautions, but also and as importantly as if there's going to be spraying in that community for West Nile, we let people know that as well. We do it through press releases to all the elected officials, through press releases to all the media. We have it on the website. We also have a hotline that's updated on a daily basis by Vector Control.

We also increased bird hotline, you put in using the telecommunications. We put in six extra lines in Environmental Protection, because the calls were overwhelming and we needed to be able to have the resources, just that we could take them. That's kind of an update.

**CHAIRPERSON FIELDS:**

There was a point brought up before about pesticide poisoning for birds. Do we ever test that and can we test that? And who's --

**COMMISSIONER BRADLEY:**

It's DEC. And, actually, some of the birds have been pesticide poisoning, and when they kind of look back, most of them have been because of pesticides that have been left out at individual homes. There was actually the case out east where it was intentional poisoning of birds associated with crops, that the farmer, or whatever, was upset that the birds were eating the crops, and there was suspected intentional poisoning, and that's being investigated. But they do -- most of the reports that we get back so far, we get back quickly when it's West Nile the other causes, trauma is a cause, pesticide poisoning is a cause, malnutrition is a cause.

**CHAIRPERSON FIELDS:**

Do we have any idea of the percentage of pesticide poisoning on these birds?

**COMMISSIONER BRADLEY:**

I can -- I don't have that, I could find out.

**CHAIRPERSON FIELDS:**

Yeah. That would be an interesting --

**COMMISSIONER BRADLEY:**

Yeah.

**LEG. FOLEY:**

Thank you.

**CHAIRPERSON FIELDS:**

Legislator Foley.

**LEG. FOLEY:**

Thank you, Madam Chair. Commissioner, with the nuisance spraying, what kind of -- even though Mr. Ninivaggi is not here today, what kind of application, what kind of chemicals, what kind of spray is used for the nuisance spraying?

**COMMISSIONER BRADLEY:**

The three main chemicals -- the two main ones are Scourge and Anvil. Malathion has been used once or twice. But those are the three main chemicals. But it's mainly Scourge and Anvil, which are Resmethrin and Sumithrin, they're pyrethroids.

**LEG. FOLEY:**

How about the areas where there's been West Nile, what has been the --

**COMMISSIONER BRADLEY:**

Resmethrin and Sumithrin, Anvil and Scourge.

**LEG. FOLEY:**

They've used the same spraying, the same chemicals, if you will, of the both the nuisance spraying as well as for West Nile?

**COMMISSIONER BRADLEY:**

Correct.

**LEG. FOLEY:**

Now, is there a reason why a decision has been made to use something different for the one area than for another area, since, I'll say, the gravity of the situation, you know, is obviously very different?

**COMMISSIONER BRADLEY:**

I think it would be better if Vector Control were here.

**LEG. FOLEY:**

Okay.

**COMMISSIONER BRADLEY:**

Because they usually come up with the recommendation based weather patterns, based on their experiences in individual communities. They had a ground fogger application that they've traditionally used Malathion for, and I asked -- and I said, "Well, don't we see if one of the pyrethroids could be used?" So that was tried out on Fire Island and the communities complained that it was not effective. So usually it's a Vector Control. I mean, there are chemicals that are approved for Vector Control's use, and usually it's up to Dominick Ninivaggi to say, "I think that this is the most appropriate chemical for this usage."

**LEG. FOLEY:**

And I'm sure perhaps at our next Health Committee meeting, we'll have Mr. Ninivaggi here.

**LEG. CRECCA:**

I have a question for the Commissioner.

**CHAIRPERSON FIELDS:**

Sure.

**LEG. FOLEY:**

Thank you. Thank you.

**LEG. CRECCA:**

Actually, a couple of questions. First of all, I want to say that when they found the infested mosquitoes in Blydenburgh, the Commissioner called my office personally as soon as they found them, informed me of the situation, informed me what the action of the Health Department. So I want to commend you for doing that. It allowed me at least, even though it was Friday afternoon, to get the word out as best we could to those in the area who live there. So thank you for that.

I do want to ask you to comment on a couple of bills that we have before us today, Commissioner.

**COMMISSIONER BRADLEY:**

Sure.

**LEG. CRECCA:**

First of all, 1425, which is Legislator Field's -- the tobacco products, minors, that we discussed today. There's been amendments to the bill. Have you seen the amendments.

**COMMISSIONER BRADLEY:**

Yes, I have.

**LEG. CRECCA:**

What is your position and the Health Department's position on that legislation at this juncture with the amendments.

**COMMISSIONER BRADLEY:**

I'm happier with this bill than I was with the other. I still have a major concern with Sanitarians doing the

enforcement in that they're not peace officers, and they don't have experience of doing this, and I think it more appropriate that a peace officer would do this type of job. I tried to research the Florida program in terms of statistics, because at the last meeting, I heard that there was a presentation, and we looked at their data. And we asked the CDC, the CDC said they've never seen it. Now, maybe it's because I'm talking to the wrong person, and I'll verify it, because on the phone today said that it had been done with the CDC. When they looked at the program, they didn't separate out youth enforcement from the other activities, so it's hard to say that it was specific to the youth enforcement. The Biostatistician who works for the Health Department said that the analysis that they did, they did not take random samples when they did their questionnaires; that there were tests that should have been used, because they didn't take random samples, they took -- they went to particular schools, they took particular classes, it wasn't an actual random, and that there would have been more appropriate tests to do. So his feeling is they couldn't prove what they said, but it doesn't disprove it, it just needs to be looked at in a different way. So I don't have data that says that it has been effective, I don't have data that says that it hasn't been effective. If it is Sanitarians, I'm going to need cars for the Sanitarians, because these people are not going to be in the office, they're going to be out in the field. And I just -- I think it's an inappropriate job for a Sanitarian. I don't know how they are going to be able to take cigarettes from minors.

**LEG. CRECCA:**

Would you support the bill if police officers were charged, Suffolk County police officers were charged with enforcing it, or am I putting you in a tough position by asking you that?

**COMMISSIONER BRADLEY:**

My preference is --

**LEG. CRECCA:**

Well, I could put you in a tough position anyway.

**COMMISSIONER BRADLEY:**

Yeah. Well, Robert Wood Johnson is doing a study.

**LEG. CRECCA:**

Okay.

**COMMISSIONER BRADLEY:**

They know about the dilemma. And I know Legislator Fields' intent is the same as my intent, and she doesn't want kids to smoke --

**LEG. CRECCA:**

Right.

**COMMISSIONER BRADLEY:**

-- and I don't either. I mean, we're a hundred percent in agreement on that. I think it would be better if it were not Sanitarians. I would like to see Robert Wood Johnson come out and say, "Yes, it's effective, it decreases." I mean, I'd hate to have Suffolk County go down that road and then have Robert Wood Johnson come out and say it didn't do any good. When we looked at it and compared the youth possession

alone versus no youth possession laws, it wasn't effective. So I don't have that data to say that it's effective. And there are other reasons, you know, the comments made that it criminalizes it, that it takes the tobacco industry off the hook. I'm not looking at those, I'm just looking at the practical perspectives of trying to do this and whether it's been effective.

**CHAIRPERSON FIELDS:**

All right. But the bill has been changed, so it is no longer that we would be writing violations for the youths who would be smoking, and there's no --

**LEG. CRECCA:**

It's just confiscation statute at this point.

**CHAIRPERSON FIELDS:**

Simply confiscation --

**LEG. CRECCA:**

It makes makes it illegal also, so --

**CHAIRPERSON FIELDS:**

And it's not, it's not through Suffolk County Police Department. I did not want to go down that road whatsoever after the settlement.

**LEG. CRECCA:**

Why not, though? I mean --

**CHAIRPERSON FIELDS:**

Why not? Because look at all the --

**LEG. CRECCA:**

If they're making a hundred --

**CHAIRPERSON FIELDS:**

Look at all the opposition we have now without Suffolk County Police Department and then if we were to say Suffolk County Police Department would be the tobacco police at \$105,000 a patrolman. No, I didn't want that to happen.

**LEG. CRECCA:**

Well, if we're paying them to be on patrol anyway and out there, they can enforce that law along with other laws.

**CHAIRPERSON FIELDS:**

That's another step in the future. And what I found with the Suffolk County Legislature very often is you have to take baby steps. And so I have gone now from my giant steps to my baby steps, and I am asking that the Suffolk County Sheriff's Department would be the enforcers. And we do have George Lessler here, and maybe you could just come up to the microphone and respond to any questions that the

committee --

**LEG. CRECCA:**

Can I ask the Commissioner one more --

**CHAIRPERSON FIELDS:**

I'd like you to stay there --

**LEG. CRECCA:**

Yeah.

**CHAIRPERSON FIELDS:**

-- because you still have another presentation.

**COMMISSIONER BRADLEY:**

Hi, how are you? You have Sanitarians and Sheriffs? Don't you have both?

**CHAIRPERSON FIELDS:**

Yes.

**COMMISSIONER BRADLEY:**

Okay.

**LEG. CRECCA:**

Can I just ask one more question of the Commissioner.

**CHAIRPERSON FIELDS:**

Yes.

**LEG. CRECCA:**

It's directly on this point, that's the only reason why I want to. With the Sanitarians, it's -- I think it's for 2001 that you're calling for the Sanitarians; correct?

**CHAIRPERSON FIELDS:**

You know, we should have --

**LEG. CRECCA:**

I know, we should -- we need Counselor.

**CHAIRPERSON FIELDS:**

Mary, can you get our Counsel, please.

**LEG. CRECCA:**

I guess one of my questions is can you guesstimate or estimate the cost for ten Sanitarians and the appropriate number of vehicles?

**COMMISSIONER BRADLEY:**

I think my staff looked at that, it was about a half a million. The Sanitarians, when they start on year one are Grade 16, they're trainees, and then within a year, they go up to 21. So I have -- did you -- did you do that, Kim, also?

**MS. BRANDEAU:**

I did it for 2000.

**COMMISSIONER BRADLEY:**

Well, what did you get for 2000?

**MS. BRANDEAU:**

I could go get that for you.

**LEG. CRECCA:**

That would be -- I think if we're going to -- if we're going to consider this law today --

**MS. BRANDEAU:**

I need to update the fiscal. There was a fiscal with the revisions. I haven't had a chance to --

**LEG. CRECCA:**

And the other question I have for you, Commissioner, will be the parental notification what was part of the Florida statute, it sounded like, or at least this one last one we talked to. What would your position be as a medical doctor to -- you know, in enforcing this. Do you think parental notification is a good idea or bad idea?

**COMMISSIONER BRADLEY:**

I think I was out of the room?

**LEG. CRECCA:**

Okay.

**COMMISSIONER BRADLEY:**

What was that they said?

**LEG. CRECCA:**

Basically, what they said was in there, they issue a civil summons. They'd have to pay a \$25 fine, or they can ask for a court date, or -- and that they also notify the parents. And I think what he had said was, we asked what kind of reaction he had from the parents, one parent, he said, wanted the \$12 back for the cigarettes they took, but, overall, that the parents were happy that they were notified. What would your position be regarding -- I know this statute doesn't call for parental notification, but calling for parental notification?

**COMMISSIONER BRADLEY:**

Just if we were doing confiscation?

**LEG. CRECCA:**

Yes.

**COMMISSIONER BRADLEY:**

Just if we were confiscating? I don't know -- I don't have a reason not to do it. I think it might help the parents trying to get the kids to change their behavior. You know --

**LEG. CRECCA:**

That's my thinking, too.

**COMMISSIONER BRADLEY:**

Yeah, yeah.

**LEG. CRECCA:**

That's why I asked you. I mean, it's not -- it might be a good idea, the parents now can take their parental roles, since these are minors that we're talking about, and take what they think is appropriate action with the children.

**COMMISSIONER BRADLEY:**

Yeah.

**LEG. CRECCA:**

That's my only thinking.

**COMMISSIONER BRADLEY:**

And the one area where I think confiscation would be good is on schools, because I know a lot of the schools are very frustrated that kids will smoke right outside, maybe not on the property, but right over into the street, and there, these schools have some type of a guardianship role over the kids. They know the age of most of the kids, they know that they're under 18, and I think that's a perfect place to try to do something. And it's -- you know, they're marketing to their peers in the school.

**CHAIRPERSON FIELDS:**

If this bill does pass, and in the Legislature also, the next step would be to notify all of the school boards and ask they that take one step further and enforce this on school grounds and off school grounds, and any other person that could do it. Can you just state your name and --

**MR. LESSLER:**

Good afternoon. George Lessler, Chief Deputy Sheriff, Suffolk County.

**CHAIRPERSON FIELDS:**

Do you see any problem with the Sheriffs enforcing this confiscation?

**MR. LESSLER:**



Well, I think we had some of the questions answered by the Florida calls. I think there has to be a little education process. I know that the Sheriff spoke with you and expressed a desire to go forward and try to make this work. I heard cost mentioned, and, certainly, if we're thinking of 10 bodies in the Health Department, there is a thought of a time and an investment over there, and down the road, we would have to look at what impact that would have on the Sheriff's budget, certainly.

**CHAIRPERSON FIELDS:**

I didn't ask for this to be the tobacco police, the Sheriffs to be the tobacco police, but that there's a civil bureau that you have?

**MR. LESSLER:**

Yes, correct.

**CHAIRPERSON FIELDS:**

And their job is?

**MR. LESSLER:**

The Civil Statute for the State of New York.

**CHAIRPERSON FIELDS:**

And they just --

**MR. LESSLER:**

They're County-wide, and they just do a --

**MR. LESSLER:**

About 26 Deputy Sheriff I's there at this time.

**CHAIRPERSON FIELDS:**

And they patrol all over?

**MR. LESSLER:**

Yes?

**CHAIRPERSON FIELDS:**

And so my intent with changing this would be that during their regular duties, if they were to see kids smoking, that they would be able to confiscate those cigarettes, at \$5 a pack, put it in a plastic bag, put their name on it, keep it possibly in the Suffolk County Health Department for two days, then if the child comes down and proves that they're over 18, they can have the cigarettes back, if not, they get thrown away. And so it's really not going to be an overtime situation, it's not going to be that the Sheriffs are stopping their regular duties to do something other than what they're supposed to do. And, again, the same point that I brought out I believe on the conference call was that this might be a deterrent for children who now feel that it's cool to smoke in public and now would find out that it's illegal and it's going to have to be a behavior that would be hidden and then it's not so cool. And, also, that it would prove to them that there is something that's going to happen if they are smoking and change their behavior, just as it does if

you're on a cheerleading team or on a sports team and you're caught in school and you can't play any longer.

Does anybody have any other questions? Okay. Thank you. Thank you very much.

**MR. LESSLER:**

Thank you.

**LEG. CRECCA:**

I have other questions of the Commissioner on other bills.

**CHAIRPERSON FIELDS:**

Okay. And, also -- you have a question on another bill? Because she also has a presentation on the Central Islip Health Center.

**LEG. CRECCA:**

I can do it now or later. I just have a couple of quick questions on some other bills.

**COMMISSIONER BRADLEY:**

Sure.

**LEG. CRECCA:**

Do you want to do them now?

**COMMISSIONER BRADLEY:**

Sure, we can do it now.

**LEG. CRECCA:**

What about 1451, which is the -- Legislator Cooper's bill for the testing alternatives to control mosquito population, does the Health Department have a position on that? And, also, it calls for an intern in there. They currently budgeted for that position?

**COMMISSIONER BRADLEY:**

Vector Control is in Public Works, so this -- that's -- yeah, this is really more a Public Works issue, although I would be very happy to have alternatives to pesticides to control mosquitoes. But I think it's Vector Control's position on -- if they can do that. I know they've had some reservations, but that was before an intern was put in. I mean, I would love to have something other than pesticides to use to control. I don't have that now, unfortunately.

**LEG. CRECCA:**

1693, on that one there, that's the -- mostly for notifications for both local residents and also for, I guess, commercial applicators. Would you be in support of that?

**COMMISSIONER BRADLEY:**

Right. Now --

**LEG. CRECCA:**

Well, from a health perspective.

**COMMISSIONER BRADLEY:**

From a health perspective and going through what we went through last year with West Nile and doing what we're doing this year in terms of notification, I think it's the right thing to do. If this were to go forward, we would need a larger staff, because we're doing the phase-out of pesticides on County properties and the notification for Vector Control. This entails the whole County and we're a huge County, so we would need a couple of people to try to work on this.

**LEG. CRECCA:**

To administer, you mean?

**COMMISSIONER BRADLEY:**

To administer it.

**LEG. CRECCA:**

Doesn't the -- don't the commercial applicators --

**COMMISSIONER BRADLEY:**

Well, we have to oversee that it's occurring. There's a lot of oversight that we have as a County, and it's a huge County and there's lot of pesticides used in different functions. And I think one of the main intents is to make sure that the notification is occurring. So I would be in favor of doing it, but I think we'd need some staff to go forward. And I think some ambiguities in there, whether it would be our responsibility or DEC.

**LEG. CRECCA:**

Okay. And what about 1734, which is the task force bill for the AED Program to make recommendations to the County?

**COMMISSIONER BRADLEY:**

Yeah. No, I am in favor of that. I reiterate everything that was said previously. We now know that with pediatric cardiac arrest, that probably 25 to, let's say, 30 or 40% are of a rhythm that could be defibrillated. So I think it's something that we need to look at, and I think a task force would be a good way to kind of come up with a County position on that.

**LEG. CRECCA:**

Thank you.

**CHAIRPERSON FIELDS:**

Okay. Thank you. Central Islip.

**COMMISSIONER BRADLEY:**

Okay. We're in the position with the Central Islip Health Center, as we've been with some of our other health centers, that the physical plan can't accommodate the services that go on, from the waiting room size, from the parking lot, for the number of exam rooms to medical providers. So we have gone down the road of trying to either expand or look for a new facility. We first looked to try to expand on-site and could not do that because of the limitations in terms of adding on space with the current building, and also the parking, the parking is very limited. The current facility is on Suffolk Avenue in Central Islip.

The needs for the health centers have not gone away back 30 years ago when Legislator Foley's father worked on creating the health centers. If anything, we see that the needs are increasing; the number of uninsured continues to increase. And I think there's something to be said for the primary care given in the health centers, because it's in a public health model. We're very concerned about tuberculosis, immunizations, noncompliance, all of those thing. So I think the need for the health centers is very, very important, and the need is not going away. And the goal for the expansion is to make the facilities more efficient, because right now, in some of our facilities, we've expanded many, we have one provider per exam room. So the provider has to wait while the nurse comes in, takes care, does the exit interviewing and then the patient could leave. It would be much better if we could have, at a minimum, two exam room provider. We'd be making maximum efficiency for our providers, who are the highest paid in the Health Department. And also confidentiality. Sometimes we have to do counseling, whatnot, in areas that are -- it's not an enclosed room, and we don't like doing that. So if we could have more rooms to do counseling, that would also be very helpful.

So we look to expand on-site, we couldn't do that, and we started to look in the individual area of CI, and we looked at, and I have some maps here, of the current facility and some maps where we would prefer to go with our facility. There's four of them in color, I'm sorry, I only have two black and white. And if you look at CI now, CI -- right now, when we think about catchment areas for the health centers, normally, we think of about four miles. About 70% of the patients that utilize the health centers come within four miles of the health centers, and the other 30% doesn't just come within two miles beyond that, it's scattered throughout the County.

So if you look at CI now in relation to Brentwood, there's significant overlap, if you look at those four-mile radiuses, and 85% of CI patients actually are within four miles of Brentwood. So what we thought we would do is look to see if we could have a site nearby that would be accessible to the current patients, that would be accessible by public transportation, and would pick up some additional unmet need. So what we're proposing to do is to go out a little further east and a little further north and actually pick up some catchment areas of Bohemia, Ronkonkoma, Holbrook, Lake Grove, Centereach, Farmingville, and Holtsville, and those are areas, if go to Social Services, they have high case loads in those areas.

If you look at unmet need by the State WIC Program, they identify Ronkonkoma as an unmet area. So we are proposing to move the CI facility three miles northeast. The patients that are currently using CI can use the Brentwood Health Center, because, as I said, 85% of them are within four miles, or they could go to the new facility, which is just going to be three miles further northeast. It would pick up an area of unmet need in that Ronkonkoma, Holbrook area, and it would improve the efficiency from where it is now with that facility, and it's just very crowded. Many people, when they come into the waiting rooms, have to stand, because there's not adequate waiting room space, there's not adequate exam rooms.

So that is our proposal, and I'd be happy to answer questions.

**LEG. FOLEY:**

You have a written proposal or --

**COMMISSIONER BRADLEY:**

Well, we went to the Space Committee when there were two space committees, and we said, you know, CI, we've done Brentwood, we've done Shirley, we're in the process of doing Martin Luther King, we did Southampton, Coram is in the process of being done, so we went with the desire to do something about CI, and we were given the go-ahead to go out and look for space. Originally, as I said, we looked right in that area, and then we thought, "Well, why are we going to do that? It's only two miles. CI's only two miles from Brentwood. Why don't we move it." So --

**LEG. FOLEY:**

The Space Committee has not made a final --

**COMMISSIONER BRADLEY:**

No.

**LEG. FOLEY:**

-- determination on this. They've just given a green light --

**COMMISSIONER BRADLEY:**

To look.

**LEG. FOLEY:**

To look.

**COMMISSIONER BRADLEY:**

Right. And we're in the process of going back to the Executive's Space Committee.

**LEG. FOLEY:**

Right. Which I'm a member of, and Legislator Levy is as well. While -- if I just may follow in this point, to Madam Chair. One of the -- since you're looking at different sites, and there's always this issue of -- not with your department, but the issue of how thorough the search is for alternative sites, I would just offer the suggestion that you keep a careful oversight of the number of location that are being looked at, so that it isn't a, let's say, a self-fulfilling prophecy where there's a certain area that they're going to go to, even before they've looked at a variety of sites, because that was one of the initial criticisms we had with the renovations to the Coram Health Center is that they didn't more thoroughly look at other sites in the more northerly regions. And then, by the time it came to us, there was this -- I would say this created crisis that you had to vote on it right away and not spend another six months to look for a more suitable location.

So my suggestion would be, to whoever is overseeing this within your department and also within the

Executive Branch, to do a very, very thorough review of possible sites and not to confine yourselves to -- for instance, here, looking at this already, I see that the site, you want to have it on Vets Highway, so --

**COMMISSIONER BRADLEY:**

Well, we actually --

**LEG. FOLEY:**

So that might be one location, but I'm sure that there's a whole host of other locations within the radii that you have here that could also be, you know, suitable.

**COMMISSIONER BRADLEY:**

Right.

**LEG. FOLEY:**

Because, looking at this, you're taking it out of Central Islip, it's no longer a Central Islip health center.

**COMMISSIONER BRADLEY:**

Correct.

**LEG. FOLEY:**

It would be --

**COMMISSIONER BRADLEY:**

If it's reachable, if it's -- correct, that's correct.

**LEG. FOLEY:**

Right. You know?

**COMMISSIONER BRADLEY:**

We have been looking at some proposed sites that have been brought to our attention by the County Attorney's Office, and we kind of told them we liked Vets Highway because of the public transportation issue.

**LEG. FOLEY:**

Right.

**COMMISSIONER BRADLEY:**

And it's kind of in the area that can pick up on many, yet it still could service the people from CI. We're only moving it three miles. So those people, if they have adherence to the providers, they want to go to that facility, they could continue to go there. So we kind of gave County Attorney's that general area. And we've looked at --

**LEG. FOLEY:**

Which general -- what general area?

**COMMISSIONER BRADLEY:**

Vets Highway in the Ronkonkoma vicinity. You know, we kind of said, once we kind of -- we said that staying right where CI is right now maybe moving it a half a block down the road, really wasn't accomplishing as much as moving it to pick up some unmet need. So we gave the Attorney's Office that general area and said, What about in here, can you find some places for us here?" And we talked to Social Services about unmet need in that area, we looked at WIC in terms of unmet need, because they look at unmet in terms of like Ronkonkoma is one of the highest areas in the County of unmet need for WIC. So we kind of targeted that area, and we have some proposed -- what are rentals. There are current buildings that would have to be renovated to fit our need.

**LEG. FOLEY:**

Okay. Well, there's just --

**CHAIRPERSON FIELDS:**

Can you just --

**COMMISSIONER BRADLEY:**

Sure.

**CHAIRPERSON FIELDS:**

-- state what WIC is.

**COMMISSIONER BRADLEY:**

I'm sorry. The Women, Infant and Children's Program. It's a nutrition vouchering and education program, and we have about a caseload of about 11,000 people in WIC currently in the County.

**LEG. FOLEY:**

It's a nutrition program.

**CHAIRPERSON FIELDS:**

And by unmet needs, are you also referring to senior citizens who are not -- who are underserved in that vicinity?

**COMMISSIONER BRADLEY:**

Well, in terms of senior citizens, when all of the commercial plans are kind of walking away from Medicare/Managed Care, many seniors are left with going back to fee-for-service Medicare. Many of the seniors use our health centers, and then when commercial plans came into the scene, they said, you know, "We love your health centers, but the plan offers me pharmaceuticals and they offer me transportation. " So several of our seniors have left us to join those plans. Now what we're seeing is as those plans --

**CHAIRPERSON FIELDS:**

However --

**COMMISSIONER BRADLEY:**

Right. As those plans --

**CHAIRPERSON FIELDS:**

But we're losing those HMO's --

**COMMISSIONER BRADLEY:**

Right.

**CHAIRPERSON FIELDS:**

-- and now you're going to have this huge, I would say, huge population of seniors that are suddenly going to have to flood into your health centers.

**COMMISSIONER BRADLEY:**

Right. It used to --

**CHAIRPERSON FIELDS:**

All over.

**COMMISSIONER BRADLEY:**

Right, right. It used to be at about ten percent of our patient population was seniors. It's been dipping down a little bit, about seven, eight percent, and I anticipate, as we've discussed, as the plans leave, the seniors are going to come back to the health centers.

**LEG. FOLEY:**

Let me just do a couple --

**LEG. CARACCILO:**

Public transportation?

**COMMISSIONER BRADLEY:**

There's buses go up and down Vets Highway. That's one of the reasons why we liked it.

**LEG. FOLEY:**

There are, but --

**LEG. CARACCILO:**

Well, with connections? I mean --

**LEG. FOLEY:**

That's -- see, part of what Legislator Caracciolo is mentioning is right on the mark, which is, yeah, that there's public transportation up and down Vets Highway, but the key there is what kind of connections? And connections can run anywhere from a half an hour connection to an hour of waiting. So one of the things that needs to be looked at is by moving this this far east out of Central Islip proper, are you going to be losing people from Central Islip, who, instead, will then have to go to Brentwood?

But I would go back to the point of not as much as you're looking at one traffic corridor, I would suggest



to look at a larger area, so that there may be some other locations that can meet your needs as well.

Now, have you given yourselves a period of time, a four-month time period to find a location? When do you expect to have some kind of determination on coming back to the Legislature with a location?

**COMMISSIONER BRADLEY:**

I don't have a date set that I'm saying I'm going to have to do it by then, when we've been working on this for several months.

**LEG. FOLEY:**

Okay.

**COMMISSIONER BRADLEY:**

So, I mean, we could -- I will go back and look at the bus connections. I mean, Vets Highway is good in terms of buses. We --

**LEG. FOLEY:**

I'll just end with this, Madam Chair, because I know people have to leave. In this case, I just wouldn't want us to be put into a position that it's this lease or no lease --

**COMMISSIONER BRADLEY:**

Okay.

**LEG. FOLEY:**

-- because it's going to -- because a crisis of timing is created where we don't -- we can't say to the Executive Branch, "Well, listen, we want you to look at some other sites," and then tell us, "Well, we can't, because we have to do this, or else, you know, the whole game is lost."

**COMMISSIONER BRADLEY:**

Right.

**LEG. FOLEY:**

So I just don't want us to be put in that position, that's all I'm saying.

**COMMISSIONER BRADLEY:**

Okay.

**LEG. FOLEY:**

Thank you.

**COMMISSIONER BRADLEY:**

Sure.

**CHAIRPERSON FIELDS:**

Thank you. Okay.

**LEG. CARACCILO:**

Question on 1702.

**CHAIRPERSON FIELDS:**

Okay.

**LEG. CARACCILO:**

Commissioner, have you had an opportunity to look --

**CHAIRPERSON FIELDS:**

Oh, that's -- the sponsor has asked me to table that anyway.

**LEG. CARACCILO:**

I would still like to hear from the Commissioner.

**CHAIRPERSON FIELDS:**

Okay.

**COMMISSIONER BRADLEY:**

Okay. This is a project that we're currently evaluating it in the Health Department in Environmental Quality. We received two letters from the Dix Hills Water District in terms of their capacity to meet the needs of this facility. The first letter that we got said that they would be able to provide the needed capacity. I believe it was April 2001. And then shortly thereafter, we got a second letter, which said that they could meet the capacity now, they wouldn't have to wait until 2001. We normally don't go into a water authority and kind of oversee what they say to us in terms of meeting capacity. It's not normally a role that we've taken in the past. This resolution, I believe, would ask us to go and do that and verify that they would have capacity to do that.

**LEG. CARACCILO:**

And you wouldn't have any reluctance to do that?

**COMMISSIONER BRADLEY:**

I'm not eager to do that, but we would do that.

**LEG. CARACCILO:**

Okay.

**LEG. FOLEY:**

If it was passed.

**COMMISSIONER BRADLEY:**

Yeah, right.

**CHAIRPERSON FIELDS:**

Thank you.

## **TABLED RESOLUTIONS**

Okay. Tabled Resolutions: **I.R. 1081 (P) - Adopting Local Law No. -2000, a Local Law to establish animal rights advocacy policy (Fisher).** Do we have a motion?

**LEG. CRECCA:**

Motion to table.

**LEG. CARACAPPA:**

Second.

**CHAIRPERSON FIELDS:**

Legislator Caracappa, second?

**LEG. CARACAPPA:**

Yes.

**CHAIRPERSON FIELDS:**

All in favor? Opposed? **Tabled. (Vote: 5-0-0-0)**

**I.R. 1425 (P)- Adopting Local Law No. -2000, a Local Law to ban the purchase tobacco products by minors in Suffolk County (Fields).** I'll make --

**LEG. CRECCA:**

Question for the sponsor.

**LEG. FOLEY:**

Motion, Madam Chair.

**CHAIRPERSON FIELDS:**

I would make a motion to approve.

**LEG. FOLEY:**

Second the motion.

**LEG. CRECCA:**

Question to the sponsor.

**CHAIRPERSON FIELDS:**

Legislator Crecca.

**LEG. CRECCA:**

Yeah. We -- I know that we heard that we're going to be receiving some copies of some statutes from Florida, number one. The other thing, too, is, you know, I started out sort of as an opponent to this

legislation. I have -- dramatically am shifting towards the side of thinking that this type of statute would be a good thing. I would ask the sponsor, and I know you've been very patient with this, Legislator Fields, and you've worked very hard on it, so to consider two things. Number one is adding parental notification to the bill, so that we can have -- let the families also deal with and know that their children are smoking, number one. Number two is -- because I think that will be an effective means of getting maybe kids to stop, or at least the parents will keep a closer eye on their own children, hopefully.

The other question -- the other thing I had, given the budgetary problems and questions we may be looking at as we do the 2001 budget, if it would be possible, so we don't preclude the possibility, but under your Enforcement Section 5, it says, "The County of Suffolk shall provide for the creation and funding of." Maybe what we could do, as we hash that out, is put that the County of Suffolk may provide, and then we can address that as we look at the 2001 budget.

The other question I have is for Counsel. Paul, if you could tell us, if we -- this -- once this became a County law, Suffolk County Police Officers could enforce this, could they not?

**MR. SABATINO:**

No, not the way it's currently structured, no.

**LEG. CRECCA:**

Why us that? I just --

**MR. SABATINO:**

Two reasons. One is it's a civil --

**LEG. CRECCA:**

Okay, right.

**MR. SABATINO:**

It's a civil penalty. But number two, the statute specifically identifies who would be doing the enforcing.

**LEG. CRECCA:**

Okay. If the statute -- could the Suffolk County Police Department enforce civil if -- in other words, if the statute didn't specify that it was limited to these people to enforce, could they -- they could enforce civil, because they do it with like underage drinking and things like that; correct?

**MR. SABATINO:**

For this particular statute, the way it's constructed, the only way to bring the police in would be to bring them in with language, not by implication, by to write them in.

**LEG. CRECCA:**

Yeah. My only thing is, if a police officer goes and pulls up at a 7-Eleven, or wherever, and sees kids smoking, he should have the authority to turn around and say, "Give me the cigarettes, " I mean, especially if we're going to have this law here. It's silly not to allow the chief and the most prevalent law enforcement body out there. So I'm not --

**MR. SABATINO:**

It's judgment call. We had this debate. You're right. I mean, we had the debate earlier on and it's a question of -- the bill has evolved, too. In the earlier versions, the confiscation wasn't the central point. But it's a judgment call on how you want to allocate law enforcement resources. I mean, it's really up to the Legislature and the elected officials to decide that.

**LEG. CRECCA:**

So that I'm telling you, Legislator Fields, that I think I can -- I think I can support this bill. I'd just like to see some of those changes made or, at least look at the -- you know, the Florida statutes and see how we can maybe tweak this and make it a better bill. I'm not even saying at this point that I'm against a civil penalty of \$25 to these kids, if they're caught. My biggest criticism of the bill was, it still maybe, but is the creation of ten new positions. I'm not saying I'm against that either, just concerned about the possible budgetary implications, given the police arbitration award that came down. So I'm asking -- I would make a motion to table for one meeting --

**LEG. CARACCILOLO:**

Second.

**LEG. CRECCA:**

-- or until, you know, if the sponsor could just do those things. I mean, it's a three -- we have not the three-week cycle so it's relatively tight. I don't --

**CHAIRPERSON FIELDS:**

Legislator Caracappa.

**LEG. CARACAPPA:**

Thank you, Madam Chair. And I must first applaud your efforts in trying to educate the committee on the bill and in other areas. In my five years here, I've never seen a conference call done in a committee meeting, so you've broken new ground, and I appreciate it as a member of the committee.

I'd like to see those changes incorporated that Legislator Crecca has mentioned, primarily the parental notification, not so much the Police Department, but that is one of his requests, not mine, but, again, the parental notification.

Second, I do have one problem with the piecemeal approach in regards to those agents who would be enforcing the law, both being Deputy Sheriffs and Sanitarians, because I feel it will be approached in a different light by both -- by both different agents, one being a nonpeace officer and one being a peace officer who has police training. So I think we need to make it level and make it consistent in regards to enforcement, and I think that's the key to excellent enforcement and the bill being successful.

So I would concur with Legislator Caracciolo and Crecca at this point to include the information we receive today, digest it, receive the law that's coming to us from Florida with the additional information that we've asked for, allow us to digest that as committee members. And I, too, in the beginning was an absolute opponent of this, and I, through your efforts of educating me and bringing a lot of facts to light,

am now leaning towards the possibility of making this happen. But, again, this is in no way, shape, or form an effort to deter you and to keep just burying it, because that's not what I want or any committee member here. We'd like to see this work. I think you're very close. I'd like to be on board this, and I'm just asking for a couple of more weeks in what is a very short next cycle to approach it.

**CHAIRPERSON FIELDS:**

Legislator Caracciolo.

**LEG. CARACCILOLO:**

The resolution, as I see it in my copy, does not have a FIS, a financial impact statement. Has one been prepared?

**MS. BRANDEAU:**

The official fiscal isn't done yet, it's almost done, but I can tell you what it's going to cost, pretty much. The first year cost for the Sanitarions filling the positions for nine months is about \$300,000. My discussions with the Health Department, they also indicated they would need ten autos, that's another 170,000, plus computers for 30,000. And, originally, they said two clerk typists. I don't know if that's still - if you're going to be doing hearings, if you're going to need additional clerical. That brings the total to 538,000 for the first year.

**CHAIRPERSON FIELDS:**

May I ask --

**LEG. CARACCILOLO:**

And then subsequent years?

**MS. BRANDEAU:**

In subsequent years, you -- the positions cost about half a million dollars and then it goes up, because the Sanitarions start as a Grade 16, then after one year, they jump to a Grade 21, so you see a big raise in salaries.

**LEG. CARACCILOLO:**

Okay. The other organization that will be responsible for enforcement would be -- and maybe Mr. Lessler can come back. George, the dialogue I heard earlier was kind of limited to the conversation apparently Legislator Fields had with the Sheriff, or someone in the Sheriff's Department, about the Civil Bureau having the responsibility. You identified the Civil Bureau as having how many members?

**MR. LESSLER:**

There are, I believe, 26 Deputy Sheriff I's there now.

**LEG. CARACCILOLO:**

Okay. Unlike the Florida program, where you have a dedicated group of individuals in their Sheriff's Departments or through their State government, actually going out and enforce this law, it seems to me, here, the primary group that would have that responsibility would be the Health Department and it would be supplemented by Deputy Sheriffs who would have jurisdiction to enforce this local law. My question

then becomes, tell us the duties on a daily basis of the members of the Civil Bureau. Where does their day start, where does it end, what do they do in between?

**MR. LESSLER:**

I'm not so sure. I only had a brief conversation with the Sheriff yesterday about this, and I've only looked at the legislation for the first time today. I don't know that it would be limited to just the Civil Division. I'm not so sure why you would want to do that. I would be glad to work with the committee, and, certainly, if it is going to be tabled, I would make myself available. I'd like to see that Florida legislation. I think there might be some need in there that might help this legislation. I think that there is a problem with two agencies, one being police, one nonpolice. There would be a difference in how the civilians would be treated on the streets. I don't think that would be the intent of the legislation, nor what Suffolk County Legislators would want to see, that -- because one person is stopped by a Deputy Sheriff, he's treated in one manner, and that one person that is stopped by a Sanitarian would be treated in another manner. I do believe there would be and that -- I appreciate my question being asked about the training period. A minimal two-hour training period I think would be necessary. I think that my officers would have to -- it would have to be reinforced, that this is a different type of statute that they're used to, and it is new ground, it is something new, and they all must be made aware of that.

**LEG. CARACCILO:**

I'd also point out, Madam Chair, for the record that year to date in the Sheriff's Department, overtime is running way above budgeted amounts for the year in both the Corrections Division and in the Deputy Sheriffs. So before we --

**CHAIRPERSON FIELDS:**

Why would this have anything to do with overtime?

**LEG. CARACCILO:**

Well, because in Florida, they talked about an overtime program.

**CHAIRPERSON FIELDS:**

That's a program, but that's not what the program is written in this law at all. It's not --

**LEG. CARACCILO:**

I think -- I think, from my perspective, this resolution right now is too general, too vague. I'd like to know what responsibility we're delegating and to whom, and what kind of resources and funding is going to be required when we do a budget, which, as we all know already, is going to require piercing the budget caps, and I don't know how many new freshman Legislators are prepared to do that. But, Ladies and Gentlemen, it's time to roll up your sleeves and get down to real business in this County, instead of coming out with resolutions, as I can constantly see, and not this one, but I'm starting to see a plethora of resolutions increasing County spending, but when the time comes, I know the Legislators that are going to have to pierce the -- vote for budget piercing caps votes are going to say, "Oh, I can't do that, I'm a -- I'm a freshman and I got to run for reelection, and I don't want to have that marked against me." Well, you have a responsibility when you sit here, and it's not only to propose, but dispose County business. So until I see Legislators who are serious about doing both, I'm going to withhold judgment on a lot of resolutions I see

being introduced. Thank you.

**CHAIRPERSON FIELDS:**

May I ask Counsel how this might be effected through tobacco settlement money?

**LEG. CARACCILO:**

That's an alternative.

**MR. SABATINO:**

Well, tobacco settlement money, as it comes in each year, is on the revenue side. Its money that can be allocated by the County Legislature and the County Executive as they ultimately see fit. You know, last time out, you know, a big chunk of it was used for the Police Department. You're not obligated to use it for any particular purpose year to year, but that's just on a revenue side. The appropriation side is what's going to be the driving force, because what was just described as a fiscal impact is what it takes in terms of expenditures to cover the program. But, certainly, the tobacco money is going to be out there. It will probably be another 21 or 22 million dollars in total, but I just don't know how it's going to be divided up at the end of that budgetary process.

**CHAIRPERSON FIELDS:**

Can it be written into the bill that it is tobacco settlement money?

**LEG. FOLEY:**

Could do that as an option.

**MR. SABATINO:**

Well, it's not -- it's not really going to change -- it's not going to really change the dynamic of the need for appropriations. I mean, it's good to know that there's tobacco money out there, because it means that on the revenue side, you know, we're going to -- between sales tax and the pilot money and this, you know, we're going to have some good revenues, but start to deal with the appropriation side, which is you have to increase appropriations to meet whatever the cost or expense of the program is. So just identifying the existence of tobacco money isn't going to change the fact that we're at the cap.

**LEG. FOLEY:**

But, if I might, Madam Chair, Counsel's point is well taken about the cap laws. However, to my way of thinking, this is exactly how tobacco monies are intended to be used. It can be used, yes, as we've said in past sessions, a bulk of the money should certainly be used for educational purposes, but as part of an overall strategy of combating Big Tobacco, a portion of those monies should be utilized for enforcement purposes. So the resolution that you have sponsored, Presiding Officer has cosponsored, and that I've cosponsored, tobacco monies could be used for this purpose, fit all the reasons -- well, put it to you this way. The tobacco monies, I think, are intended to be used for this kind of purpose, and this dovetails very nicely with those monies, can be used for that. It doesn't have to come out of the General Fund monies, doesn't have to come out of the property tax base here in the County, but, rather, the monies that we have been awarded through the tobacco settlement.

**CHAIRPERSON FIELDS:**



Okay. Thank you. So there was a motion to table and it was seconded. All in favor? Opposed? Motion to table. **Tabled. (Vote: 5-0-0-0)**

**I.R. 1451 (P) - Directing the County Department of Public Works to test pesticide alternatives to control adult mosquito population (Cooper).** Motion to --

**LEG. FOLEY:**

Motion to approve.

**LEG. CARACAPPA:**

On the motion.

**CHAIRPERSON FIELDS:**

Legislator Caracappa.

**LEG. CARACAPPA:**

Kim, financial impact statement for this one?

**MS. BRANDEAU:**

Just a minute.

**LEG. CARACAPPA:**

Is there one?

**MS. BRANDEAU:**

I believe so.

**LEG. CARACAPPA:**

Okay.

**CHAIRPERSON FIELDS:**

While she's looking, I'll second the motion.

**MS. BRANDEAU:**

Okay. According to Public Works, this pilot project would most likely be undertaken with existing staff and with existing budgetary allocations. So we estimate that there's really going to be no additional fiscal impact to start with.

**LEG. CARACAPPA:**

Okay. Very good. Commissioner? Commissioner?

**COMMISSIONER BRADLEY:**

Yes.

**LEG. CARACAPPA:**

I know over the last year, in light of all the West Nile and the hubbub surrounding the spraying and all the

-- for lack of a better term, I use that.

**LEG. CRECCA:**

Hubbub's a good term.

**LEG. CARACAPPA:**

In certain instances, it's hubbub, on both sides, that is. You've, I'm sure, investigated, or at least read about, or did some, you know, research on alternatives. Where do you stand, what's your opinion, and what do you think?

**COMMISSIONER BRADLEY:**

Current position of the Center for Disease Control and the State Health Department are that in terms of -- we're just talking about virus control now. That other alternatives, such as mosquito magnet, or the garlic, or red dye, or other things, have not been proven effective. So before they could be used, especially for virus control, I'd have to have something to say they're effective. I couldn't go out and use them in an area where we're trying to decrease transmission to humans and human disease without some type of efficacy that I don't have right now. So we would -- someone would have to do studies and assert that they're effective before they could be used.

**LEG. CARACAPPA:**

Do you know if Dr. Campbell has experimented or done research, or maybe even used some of the -- or has seen through his profession the effectiveness of some of these alternatives on the mosquito populations in other areas, or just in studies in his professional background?

**COMMISSIONER BRADLEY:**

I don't want to speak for him, but he -- when I ask him ways to control, he knows of none of these alternatives that have been proven effective.

**LEG. CARACAPPA:**

To date.

**COMMISSIONER BRADLEY:**

Now, I'm not saying -- to date. Now, I'm not saying they shouldn't be --

**LEG. CARACAPPA:**

That's just for virus control.

**COMMISSIONER BRADLEY:**

For -- right.

**LEG. CARACAPPA:**

Yes.

**COMMISSIONER BRADLEY:**

Right. I'm not talking nuisance control, I'm only talking where the Health Department gets involved, and that's when we're talking about virus control.

**LEG. CARACAPPA:**

Let's talk about nuisance control for a second.

**COMMISSIONER BRADLEY:**

Okay.

**LEG. CARACAPPA:**

Same questions. Same answer?

**COMMISSIONER BRADLEY:**

Well, I don't run that program, but --

**LEG. CARACAPPA:**

In your -- in your experience.

**COMMISSIONER BRADLEY:**

Uh-huh. Well, according to Dominick, none of these are -- none of these alternatives are effective. I haven't researched it for that. And there was a comment made today about the distinction between destroying -- killing mosquitoes and repelling them and --

**MR. RESTMEYER:**

I thought you didn't want to speak for him.

**COMMISSIONER BRADLEY:**

Well, he's ask --

**LEG. CARACAPPA:**

Excuse me, sir. Excuse me, sir. You did have your time to speak. I'm asking the Commissioner a question. Thank you. I appreciate it.

**COMMISSIONER BRADLEY:**

You, in terms of virus control, something that repels would not be acceptable, because you're just going to repel it from one area to another. So if you have a virus you're trying to kill, you need to be able to kill the mosquitoes.

Now, in terms of nuisance control, maybe that's something that could be considered, something of a repellent, but I'd have to defer to Public Works to answer that question. I can't answer that question.

**LEG. FOLEY:**

Madam Chair.

**CHAIRPERSON FIELDS:**

We'll invite Dominick Ninivaggi to the next --

**LEG. FOLEY:**

Right.

**CHAIRPERSON FIELDS:**

-- meeting, and he can --

**LEG. FOLEY:**

Right.

**CHAIRPERSON FIELDS:**

He can respond to those questions.

**LEG. CARACAPPA:**

I'll be putting a personal phone call into him myself to ask him these questions as well. And I appreciate your answers.

**COMMISSIONER BRADLEY:**

Thanks.

**LEG. FOLEY:**

Madam Chair, just on that point, at our next -- not at today's Public Works Committee meeting, but I will also, at our next round of committee meetings at the end of the month, also have Mr. Ninivaggi at the Public Works Committee meeting, as well as at your Health Committee meeting, so that we can get into these questions.

**CHAIRPERSON FIELDS:**

Just on another note, I have a question here about pyrethroids being highly toxic to aquatic life. And why are they being sprayed near the wetlands and around on islands, is the question that I was given.

**LEG. FOLEY:**

Right.

**MR. RESTMEYER:**

Thank you.

**COMMISSIONER BRADLEY:**

I think you need Dominick here to answer those questions.

**CHAIRPERSON FIELDS:**

Fine.

**COMMISSIONER BRADLEY:**

I mean, and he plans out his program --

**LEG. FOLEY:**

No. Understood.

**COMMISSIONER BRADLEY:**

-- with the DEC and the EPA.

**LEG. FOLEY:**

Understood.

**CHAIRPERSON FIELDS:**

Okay.

**LEG. FOLEY:**

Understood.

**CHAIRPERSON FIELDS:**

Thanks.

**LEG. FOLEY:**

And just, Madam Chair, as a quick follow-up to that, it would be helpful, also, to have the Director of your Environmental Quality Bureau or Division to be here also, since there are these environmental questions that are being asked as well. We realize that it's really Ninivaggi's bailiwick than yours, Commissioner, but there's such a correlation or it's a -- a correlation between the Public Works and Public Health in this regard, so that's why at the next meeting we'll have both Departments represented at the two committee meetings.

**CHAIRPERSON FIELDS:**

Okay. We had a motion and a second on--

**LEG. CARACAPPA:**

Can I ask one more question, Madam Chair, please? I'm sorry. I forgot to ask my final follow-up question. In your view, Doctor, do you think it's a good idea that we explore alternatives to pesticides with relation to both nuisance spraying and virus spraying?

**COMMISSIONER BRADLEY:**

Yes. But until they're proven, they can't be used for virus control. We can't go out and try them, let's say, if I have positive mosquitoes for West Nile or Eastern Equine, I couldn't go out and try them in that situation.

**LEG. FOLEY:**

Right.

**COMMISSIONER BRADLEY:**

Unless I know that they're effective. I would be all in favor of endorsing something to look for alternatives to pesticides, absolutely.

**LEG. CARACAPPA:**

Thank you.

**CHAIRPERSON FIELDS:**

Okay.

**LEG. FOLEY:**

Motion to approve.

**CHAIRPERSON FIELDS:**

Motion to approve, we -- I second it. All in favor?

**LEG. FOLEY:**

Aye.

**CHAIRPERSON FIELDS:**

Opposed? And **approved. (Vote: 5-0-0-0)**

### **INTRODUCTORY RESOLUTIONS**

**I.R. 1673 (P) - Authorizing Estee Lauder Breast Cancer Awareness Program at Dennison Building (Alden).** I make the motion to approve.

**LEG. FOLEY:**

Second the motion.

**LEG. CRECCA:**

Second.

**LEG. CARACAPPA:**

Second. Cosponsor.

**LEG. FOLEY:**

All in favor? Opposed? **Passed. (Vote: 5-0-0-0)**

**LEG. CRECCA:**

Could you list me as a cosponsor, also?

**LEG. FOLEY:**

Cosponsor, please.

**CHAIRPERSON FIELDS:**

Myself, also. **I.R. 1693 - Adopting Local Law No. -2000, a Local Law to adopt countywide pesticide notice provisions (Carpenter).** Do we have a motion?

**MR. SABATINO:**

Public hearing, Madam Chair.

**CHAIRPERSON FIELDS:**

Motion to table.

**LEG. CARACAPPA:**

Second.

**CHAIRPERSON FIELDS:**

All in favor? Opposed? **Tabled. (5-0-0-0)**

**ENERGY & ENVIRONMENT PRIME COMMITTEE**

**I.R. 1702 (P) - (Establishing moratorium for Sunrise Assisted Living at Dix Hills Project in Dix Hills pending disposition of public water conflict (Binder).**

**LEG. FOLEY:**

Motion to table.

**CHAIRPERSON FIELDS:**

The sponsor has asked for this to be tabled. I'll second the motion. All in favor? Opposed? **Tabled. (Vote: 5-0-0-0)**

**I.R. 1710 (P) - (Accepting and appropriating additional 100% Federal Grant Funds from the United States Department of Health and Human Services to the Department of Health Services, for Ryan White Title III, HIV Early Intervention Program and creating positions for the program (County Executive).**

**LEG. FOLEY:**

Motion.

**LEG. CARACAPPA:**

Second.

**CHAIRPERSON FIELDS:**

All in favor? Opposed? **Approved. (Vote: 5-0-0-0)**

**I.R. 1711 (P) - (Accepting and appropriating additional 100% Federal Funds from the United States Department of Health and Human Services to the Department of Health Services, Division of Patient Care Services for the Family Planning Program (County Executive)**

**LEG. CARACAPPA:**

Motion.

**CHAIRPERSON FIELDS:**

Motion. Second. All in favor?

**LEG. CRECCA:**

Hold.

**CHAIRPERSON FIELDS:**

What was that?

**LEG. CRECCA:**

Hold on a second. Wait. Hold on a second.

**LEG. FOLEY:**

1711, 100% Federal monies.

**LEG. CRECCA:**

Yeah. Can I get an explanation on what those grants are being used for? I apologize.

**COMMISSIONER BRADLEY:**

I think this is --

**LEG. FOLEY:**

It's in the backup.

**CHAIRPERSON FIELDS:**

It's in the backup, Legislator Crecca.

**LEG. CRECCA:**

I'm sorry. It's where?

**CHAIRPERSON FIELDS:**

In the backup.

**LEG. FOLEY:**

It's in the resolution.

**CHAIRPERSON FIELDS:**

It's attached to your resolution.

**LEG. CARACAPPA:**

I'd ask for --

**COMMISSIONER BRADLEY:**

Suffolk County Health Department runs a Family Planning Program associated with the health centers, and we get State funding to assist with the County costs associated with that. They're run throughout the



health centers, Family Planning.

**LEG. CRECCA:**

Okay.

**LEG. FOLEY:**

This is what, 1710 or 1711?

**COMMISSIONER BRADLEY:**

Which one are you looking at? I'm sorry, that was the --

**CHAIRPERSON FIELDS:**

1711.

**LEG. CRECCA:**

1711.

**COMMISSIONER BRADLEY:**

Okay. That's Family Planning.

**LEG. CRECCA:**

Does that include abortion?

**COMMISSIONER BRADLEY:**

No. We have nothing to do with terminations.

**LEG. CRECCA:**

Okay. I'll leave my motion to approve on the table. That's why I just wanted to check and make sure.

**CHAIRPERSON FIELDS:**

So was that a motion to table?

**LEG. CRECCA:**

Motion to approve.

**CHAIRPERSON FIELDS:**

Motion to approve. Second? Do we have a second?

**LEG. FOLEY:**

Second.

**CHAIRPERSON FIELDS:**

All in favor? Opposed? **Approved. (Vote: 5-0-0-0)**

**I.R. 1734 (P) - Creating Suffolk County Defibrillator Placement Task Force (Crecca).** Motion?

**LEG. CRECCA:**

Motion to approve.

**LEG. CARACAPPA:**

Second.

**CHAIRPERSON FIELDS:**

Second. All in favor? Opposed? **Approved. (Vote: 5-0-0-0)**

**Sense 82-2000 - Memorializing Resolution requesting State of New York to authorize Suffolk County Tobacco Tax to fund enhanced childcare (Cooper).**

**LEG. FOLEY:**

Motion.

**LEG. CARACAPPA:**

Second.

**CHAIRPERSON FIELDS:**

All in favor? Opposed? Approved.

**LEG. CARACAPPA:**

Madam Chair.

**LEG. CRECCA:**

Cosponsor.

**CHAIRPERSON FIELDS:**

Legislator Caracappa.

**LEG. CARACAPPA:**

As always, I'd request that 1710 and 1711, seeing that they're 100% aid to the County, be placed on the Consent Calendar.

**LEG. FOLEY:**

Second the motion.

**CHAIRPERSON FIELDS:**

All in favor? Opposed? **Placed on the Consent Calendar. (Vote: 5-0-0-0).** Motion to adjourn.

**(\*The meeting was adjourned at 12:48 P.M.\*)**

**Legislator Ginny Fields**

**Chairperson, Health Committee**

**Denotes Spelled Phonetically**